

115TH CONGRESS
2D SESSION

H. R. 5925

To codify provisions relating to the Office of National Drug Control, and
for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 23, 2018

Mr. GOWDY (for himself, Mr. CUMMINGS, Mr. MEADOWS, and Mr. CONNOLLY) introduced the following bill; which was referred to the Committee on Oversight and Government Reform, and in addition to the Committees on Energy and Commerce, Foreign Affairs, the Judiciary, Intelligence (Permanent Select), and Appropriations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To codify provisions relating to the Office of National Drug
Control, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Coordinated Response
5 through Interagency Strategy and Information Sharing
6 Act” or the “CRISIS Act”.

1 **SEC. 2. OFFICE OF NATIONAL DRUG CONTROL.**

2 (a) REDESIGNATION.—The Office of National Drug
3 Control Policy shall be known as the “Office of National
4 Drug Control”.

5 (b) REFERENCES.—Any reference in any other Fed-
6 eral law, Executive order, rule, regulation, or delegation
7 of authority, or any document of or relating to the Office
8 of National Drug Control Policy is deemed to refer to the
9 Office of National Drug Control.

10 (c) CODIFICATION.—Subtitle I of title 31, United
11 States Code, is amended by adding at the end the fol-
12 lowing new chapter:

13 **“CHAPTER 10—OFFICE OF NATIONAL**
14 **DRUG CONTROL**

“SUBCHAPTER I—OFFICE

- “1001. Definitions.
- “1002. Office of National Drug Control.
- “1003. Administration of the office.
- “1004. National drug control program budget.
- “1005. National drug control strategy.
- “1006. Development of an annual national drug control assessment.
- “1007. Monitoring and evaluation of national drug control program.
- “1008. Coordination and oversight of the national drug control program.
- “1009. Emerging threats taskforce, plan, media campaign.
- “1010. National and international coordination.
- “1011. Interdiction.
- “1012. Treatment coordinator.
- “1013. Critical information coordination.
- “1014. Authorization of appropriations.

“SUBCHAPTER II—HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM

- “1021. High intensity drug trafficking areas program.

“SUBCHAPTER III—DRUG-FREE COMMUNITIES SUPPORT PROGRAM

- “1031. Establishment of drug-free communities support program.
- “1032. Program authorization.

- “1033. Information collection and dissemination with respect to grant recipients.
 “1034. Technical assistance and training.
 “1035. Supplemental grants for coalition mentoring activities.
 “1036. Authorization for National Community Antidrug Coalition Institute.
 “1037. Definitions.
 “1038. Drug-free communities reauthorization.

1 “SUBCHAPTER I—OFFICE

2 **“§ 1001. Definitions**

3 “In this chapter:

4 “(1) AGENCY.—The term ‘agency’ has the
 5 meaning given the term ‘executive agency’ in section
 6 102.

7 “(2) APPROPRIATE CONGRESSIONAL COMMIT-
 8 TEES.—The term ‘appropriate congressional com-
 9 mittees’ means—

10 “(A) the Committee on the Judiciary, the
 11 Committee on Appropriations, and the Caucus
 12 on International Narcotics Control of the Sen-
 13 ate; and

14 “(B) the Committee on Oversight and Gov-
 15 ernment Reform, the Committee on the Judici-
 16 ary, and the Committee on Appropriations of
 17 the House of Representatives.

18 “(3) DEMAND REDUCTION.—The term ‘demand
 19 reduction’ means any activity conducted by a Na-
 20 tional Drug Control Program Agency, other than an
 21 enforcement activity, that is intended to reduce or

1 prevent the use of drugs or support or provide treat-
2 ment and recovery efforts, including—

3 “(A) education about the dangers of illicit
4 drug use;

5 “(B) services, programs, or strategies to
6 prevent substance use disorder, including evi-
7 dence-based education campaigns, community-
8 based prevention programs, opioid diversion,
9 collection and disposal of unused prescription
10 drugs, and services to at-risk populations to
11 prevent or delay initial use of an illicit sub-
12 stance;

13 “(C) substance use disorder treatment;

14 “(D) illicit drug use research;

15 “(E) drug-free workplace programs;

16 “(F) drug testing, including the testing of
17 employees;

18 “(G) interventions for illicit drug use and
19 dependence;

20 “(H) expanding availability of access to
21 health care services for the treatment of sub-
22 stance use disorders;

23 “(I) international drug control coordina-
24 tion and cooperation with respect to activities
25 described in this paragraph;

1 “(J) pre- and post-arrest criminal justice
2 interventions such as diversion programs, drug
3 courts, and the provision of evidence-based
4 treatment to individuals with substance use dis-
5 orders who are arrested or under some form of
6 criminal justice supervision, including medica-
7 tion assisted treatment;

8 “(K) other coordinated and joint initiatives
9 among Federal, State, local, and Tribal agen-
10 cies to promote comprehensive drug control
11 strategies designed to reduce the demand for,
12 and the availability of, illegal drugs;

13 “(L) international illicit drug use edu-
14 cation, prevention, treatment, recovery, re-
15 search, rehabilitation activities, and interven-
16 tions for illicit drug use and dependence; and

17 “(M) research related to any of the activi-
18 ties described in this paragraph.

19 “(4) DIRECTOR.—The term ‘Director’ means
20 the Director of the Office of National Drug Control.

21 “(5) DRUG.—The term ‘drug’ has the meaning
22 given the term ‘controlled substance’ in section
23 102(6) of the Controlled Substances Act (21 U.S.C.
24 802(6)).

1 “(6) DRUG CONTROL.—The term ‘drug control’
2 means any activity conducted by a National Drug
3 Control Program Agency involving supply reduction
4 or demand reduction.

5 “(7) EMERGING THREAT.—The term ‘emerging
6 threat’ means the occurrence of a new and growing
7 trend in the use of an illicit drug or class of drugs,
8 including rapid expansion in the supply of or de-
9 mand for such drug.

10 “(8) ILLICIT DRUG USE; ILLICIT DRUGS; ILLE-
11 GAL DRUGS.—The terms ‘illicit drug use’, ‘illicit
12 drugs’, and ‘illegal drugs’ include the illegal or illicit
13 use of prescription drugs.

14 “(9) LAW ENFORCEMENT.—The term ‘law en-
15 forcement’ or ‘drug law enforcement’ means all ef-
16 forts by a Federal, State, local, or Tribal govern-
17 ment agency to enforce the drug laws of the United
18 States or any State, including investigation, arrest,
19 prosecution, and incarceration or other punishments
20 or penalties.

21 “(10) NATIONAL DRUG CONTROL PROGRAM.—
22 The term ‘National Drug Control Program’ means
23 programs, policies, and activities undertaken by Na-
24 tional Drug Control Program Agencies pursuant to
25 the responsibilities of such agencies under the Na-

1 tional Drug Control Strategy, including any activi-
2 ties involving supply reduction, demand reduction, or
3 State, local, and Tribal affairs.

4 “(11) NATIONAL DRUG CONTROL PROGRAM
5 AGENCY.—The term ‘National Drug Control Pro-
6 gram Agency’ means any agency (or bureau, office,
7 independent agency, board, division, commission,
8 subdivision, unit, or other component thereof) that is
9 responsible for implementing any aspect of the Na-
10 tional Drug Control Strategy, including any agency
11 that receives Federal funds to implement any aspect
12 of the National Drug Control Strategy, but does not
13 include any agency that receives funds for drug con-
14 trol activity solely under the National Intelligence
15 Program or the Military Intelligence Program.

16 “(12) NATIONAL DRUG CONTROL STRATEGY;
17 STRATEGY.—The term ‘National Drug Control
18 Strategy’ or ‘Strategy’ means the strategy developed
19 and submitted to Congress under section 1005.

20 “(13) NONPROFIT ORGANIZATION.—The term
21 ‘nonprofit organization’ means an organization that
22 is described in section 501(c)(3) of the Internal Rev-
23 enue Code of 1986 and exempt from tax under sec-
24 tion 501(a) of such Code.

1 “(14) OFFICE.—The term ‘Office’ means the
2 Office of National Drug Control.

3 “(15) STATE, LOCAL, AND TRIBAL AFFAIRS.—
4 The term ‘State, local, and Tribal affairs’ means do-
5 mestic activities conducted by a National Drug Con-
6 trol Program Agency that are intended to reduce the
7 availability and use of illegal drugs, including—

8 “(A) coordination and enhancement of
9 Federal, State, local, and Tribal law enforce-
10 ment drug control efforts;

11 “(B) coordination and enhancement of ef-
12 forts among National Drug Control Program
13 Agencies and State, local, and Tribal demand
14 reduction and supply reduction agencies;

15 “(C) coordination and enhancement of
16 Federal, State, local, and Tribal law enforce-
17 ment initiatives to gather, analyze, and dissemi-
18 nate information and law enforcement intel-
19 ligence relating to drug control among domestic
20 law enforcement agencies; and

21 “(D) other coordinated and joint initiatives
22 among Federal, State, local, and Tribal agen-
23 cies to promote comprehensive drug control
24 strategies designed to reduce the demand for,
25 and the availability of, illegal drugs.

1 “(16) SUBSTANCE USE DISORDER TREAT-
2 MENT.—The term ‘substance use disorder treat-
3 ment’ means an evidence-based, professionally di-
4 rected, deliberate, and planned regimen including
5 evaluation, observation, medical monitoring, and re-
6 habilitative services and interventions such as
7 pharmacotherapy, behavioral therapy, and individual
8 and group counseling, on an inpatient or outpatient
9 basis, to help patients with substance use disorder
10 reach recovery.

11 “(17) SUPPLY REDUCTION.—The term ‘supply
12 reduction’ means any activity or program conducted
13 by a National Drug Control Program Agency that is
14 intended to reduce the availability or use of illegal
15 drugs in the United States or abroad, including—

16 “(A) law enforcement outside the United
17 States;

18 “(B) domestic law enforcement;

19 “(C) source country programs, including
20 economic development programs primarily in-
21 tended to reduce the production or trafficking
22 of illicit drugs;

23 “(D) activities to control international traf-
24 ficking in, and availability of, illegal drugs, in-
25 cluding—

1 “(i) accurate assessment and moni-
2 toring of international drug production and
3 interdiction programs and policies; and

4 “(ii) coordination and promotion of
5 compliance with international treaties re-
6 lating to the production, transportation, or
7 interdiction of illegal drugs;

8 “(E) activities to conduct and promote
9 international law enforcement programs and
10 policies to reduce the supply of drugs;

11 “(F) activities to facilitate and enhance the
12 sharing of domestic and foreign intelligence in-
13 formation among National Drug Control Pro-
14 gram Agencies, relating to the production and
15 trafficking of drugs in the United States and in
16 foreign countries;

17 “(G) activities to prevent the diversion of
18 drugs for their illicit use; and

19 “(H) research related to any of the activi-
20 ties described in this paragraph.

21 **“§ 1002. Office of National Drug Control**

22 “(a) ESTABLISHMENT OF OFFICE.—There is estab-
23 lished in the Executive Office of the President an Office
24 of National Drug Control, which shall—

1 “(1) lead national drug control efforts, includ-
2 ing developing and assessing implementation of evi-
3 dence-based drug control policy;

4 “(2) coordinate and oversee the implementation
5 of the national drug control policy, including the Na-
6 tional Drug Control Strategy;

7 “(3) assess and certify the adequacy of Na-
8 tional Drug Control Programs and the budget for
9 those programs;

10 “(4) monitor and evaluate the effectiveness of
11 national drug control policy efforts, including the
12 National Drug Control Program Agencies’ pro-
13 grams, by developing and applying specific goals and
14 performance measurements and tracking program-
15 level spending;

16 “(5) identify and respond to emerging threats
17 related to illicit drug use;

18 “(6) administer and evaluate grant programs in
19 furtherance of the National Drug Control Strategy;
20 and

21 “(7) facilitate broad-scale information sharing
22 and data standardization among Federal, State, and
23 local entities to support the national drug control ef-
24 forts.

1 “(b) DIRECTOR OF NATIONAL DRUG CONTROL AND
2 DEPUTY DIRECTORS.—

3 “(1) DIRECTOR.—

4 “(A) IN GENERAL.—There shall be at the
5 head of the Office a Director who shall hold the
6 same rank and status as the head of an execu-
7 tive department listed in section 101 of title 5,
8 United States Code.

9 “(B) APPOINTMENT.—The Director shall
10 be appointed by the President, by and with the
11 advice and consent of the Senate, and shall
12 serve at the pleasure of the President.

13 “(2) DEPUTY DIRECTOR.—

14 “(A) IN GENERAL.—There shall be a Dep-
15 uty Director who shall report directly to the Di-
16 rector, be appointed by the President, and serve
17 at the pleasure of the President.

18 “(B) RESPONSIBILITIES.—The Deputy Di-
19 rector shall—

20 “(i) carry out the responsibilities dele-
21 gated by the Director; and

22 “(ii) be responsible for effectively co-
23 ordinating with the Coordinators.

24 “(c) RESPONSIBILITIES.—

1 “(1) POLICIES, GOALS, OBJECTIVES, AND PRI-
2 ORITIES.—The Director shall assist the President in
3 directing national drug control efforts, including es-
4 tablishing policies, goals, objectives, and priorities
5 for the National Drug Control Program that are
6 based on evidence-based research.

7 “(2) CONSULTATION.—To formulate the Na-
8 tional Drug Control policies, goals, objectives, and
9 priorities, the Director—

10 “(A) shall consult with—

11 “(i) State and local governments;

12 “(ii) National Drug Control Program
13 Agencies;

14 “(iii) each committee, working group,
15 council, or other entity established under
16 this chapter, as appropriate;

17 “(iv) the public;

18 “(v) appropriate congressional com-
19 mittees; and

20 “(vi) any other person in the discre-
21 tion of the Director; and

22 “(B) may—

23 “(i) establish advisory councils;

24 “(ii) acquire data from agencies; and

1 “(iii) request data from any other en-
2 tity.

3 **“§ 1003. Administration of the office**

4 “(a) EMPLOYMENT.—

5 “(1) AUTHORITY OF THE DIRECTOR.—The Di-
6 rector may select, appoint, employ, and fix com-
7 pensation of such officers and employees of the Of-
8 fice as may be necessary to carry out the functions
9 of the Office under this chapter.

10 “(2) PROHIBITIONS.—

11 “(A) GENERALLY.—No person shall serve
12 as Director or Deputy Director while serving in
13 any other position in the Federal Government.

14 “(B) PROHIBITION ON POLITICAL CAM-
15 PAIGNING.—Any officer or employee of the Of-
16 fice who is appointed to that position by the
17 President, by and with the advice and consent
18 of the Senate, may not participate in Federal
19 election campaign activities, except that such
20 official is not prohibited by this paragraph from
21 making contributions to individual candidates.

22 “(b) PROHIBITION ON THE USE OF FUNDS FOR PO-
23 LITICAL CAMPAIGNS OR BALLOT INITIATIVES.—No funds
24 authorized under this chapter may be obligated for the

1 purpose of influencing any Federal, State, or local election
2 or ballot initiative.

3 “(c) PERSONNEL DETAILED TO OFFICE.—

4 “(1) EVALUATIONS.—Notwithstanding any pro-
5 vision of chapter 43 of title 5, the Director shall per-
6 form the evaluation of the performance of any em-
7 ployee detailed to the Office for purposes of the ap-
8 plicable performance appraisal system established
9 under such chapter for any rating period, or part
10 thereof, that such employee is detailed to such office.

11 “(2) COMPENSATION.—

12 “(A) BONUS PAYMENTS.—Subject to the
13 availability of appropriations, the Director may
14 provide periodic bonus payments to any em-
15 ployee detailed to the Office.

16 “(B) RESTRICTIONS.—An amount paid
17 under this paragraph to an employee for any
18 period—

19 “(i) shall not be greater than 20 per-
20 cent of the basic pay paid or payable to
21 such employee for such period; and

22 “(ii) shall be in addition to the basic
23 pay of such employee.

24 “(C) AGGREGATE AMOUNT.—The aggre-
25 gate amount paid during any fiscal year to an

1 employee detailed to the Office as basic pay,
2 awards, bonuses, and other compensation shall
3 not exceed the annual rate payable at the end
4 of such fiscal year for positions at level III of
5 the Executive Schedule.

6 “(d) CONGRESSIONAL ACCESS TO INFORMATION.—
7 The location of the Office in the Executive Office of the
8 President shall not be construed as affecting access by
9 Congress, or any committee of the House of Representa-
10 tives or the Senate, to any—

11 “(1) information, document, or study in the
12 possession of, or conducted by or at the direction of
13 the Director; or

14 “(2) personnel of the Office.

15 “(e) OTHER AUTHORITIES OF THE DIRECTOR.—In
16 carrying out this chapter, the Director may—

17 “(1) use for administrative purposes, on a reim-
18 bursable basis, the available services, equipment,
19 personnel, and facilities of Federal, State, and local
20 agencies;

21 “(2) procure the services of experts and con-
22 sultants in accordance with section 3109 of title 5
23 relating to appointments in the Federal Service, at
24 rates of compensation for individuals not to exceed
25 the daily equivalent of the rate of pay payable under

1 level IV of the Executive Schedule under section
2 5311 of such title; and

3 “(3) use the mails in the same manner as any
4 other agency.

5 “(f) GENERAL SERVICES ADMINISTRATION.—The
6 Administrator of General Services shall provide to the Di-
7 rector, on a reimbursable basis, such administrative sup-
8 port services as the Director may request.

9 **“§ 1004. National drug control program budget**

10 “(a) BUDGET RECOMMENDATIONS.—Not later than
11 July 1 of each year, the Director shall provide to the head
12 of each National Drug Control Program Agency budget
13 recommendations, including requests for specific initia-
14 tives that are consistent with the priorities of the Presi-
15 dent under the National Drug Control Strategy, which
16 shall—

17 “(1) apply to the budget for the next fiscal year
18 scheduled for formulation under chapter 11, and
19 each of the 4 subsequent fiscal years; and

20 “(2) address funding priorities developed in the
21 National Drug Control Strategy.

22 “(b) RESPONSIBILITIES OF NATIONAL DRUG CON-
23 TROL PROGRAM AGENCIES.—

24 “(1) IN GENERAL.—For each fiscal year, the
25 head of each National Drug Control Program Agen-

1 cy shall transmit to the Director a copy of the pro-
2 posed drug control budget request of such agency at
3 the same time as that budget request is submitted
4 to their superiors (and before submission to the Of-
5 fice of Management and Budget) in the preparation
6 of the budget of the President submitted to Con-
7 gress under section 1105(a).

8 “(2) SUBMISSION OF DRUG CONTROL BUDGET
9 REQUESTS.—The head of each National Drug Con-
10 trol Program Agency shall ensure timely develop-
11 ment and submission to the Director of each pro-
12 posed drug control budget request transmitted pur-
13 suant to this subsection, in such format as may be
14 designated by the Director with the concurrence of
15 the Director of the Office of Management and Budg-
16 et.

17 “(3) CONTENT OF DRUG CONTROL BUDGET RE-
18 QUESTS.—A drug control budget request submitted
19 by the head of a National Drug Control Program
20 Agency under this subsection shall include all re-
21 quests for funds for any drug control activity under-
22 taken by such agency, including demand reduction,
23 supply reduction, and State, local, and Tribal af-
24 fairs, including any drug law enforcement activities.
25 If an activity has both drug control and nondrug

1 control purposes or applications, such agency shall
2 estimate by a documented calculation the total funds
3 requested for that activity that would be used for
4 drug control, and shall set forth in its request the
5 basis and method for making the estimate.

6 “(c) REVIEW AND CERTIFICATION OF BUDGET RE-
7 QUESTS AND BUDGET SUBMISSIONS OF NATIONAL DRUG
8 CONTROL PROGRAM AGENCIES.—

9 “(1) IN GENERAL.—The Director shall review
10 each drug control budget request submitted to the
11 Director under subsection (b).

12 “(2) REVIEW OF BUDGET REQUESTS.—

13 “(A) INADEQUATE REQUESTS.—If the Di-
14 rector concludes that a budget request sub-
15 mitted under subsection (b) is inadequate, in
16 whole or in part, to implement the objectives of
17 the National Drug Control Strategy with re-
18 spect to the agency or program at issue for the
19 year for which the request is submitted, the Di-
20 rector shall submit to the head of the applicable
21 National Drug Control Program Agency a writ-
22 ten description identifying the funding levels
23 and specific initiatives that would, in the deter-
24 mination of the Director, make the request ade-
25 quate to implement those objectives.

1 “(B) ADEQUATE REQUESTS.—If the Direc-
2 tor concludes that a budget request submitted
3 under subsection (b) is adequate to implement
4 the objectives of the National Drug Control
5 Strategy with respect to the agency or program
6 at issue for the year for which the request is
7 submitted, the Director shall submit to the
8 head of the applicable National Drug Control
9 Program Agency a written statement con-
10 firming the adequacy of the request.

11 “(C) RECORD.—The Director shall main-
12 tain a record of each description submitted
13 under subparagraph (A) and each statement
14 submitted under subparagraph (B).

15 “(3) SPECIFIC REQUESTS.—The Director shall
16 not confirm the adequacy of any budget request that
17 requests a level of funding that will not enable
18 achievement of the goals of the National Drug Con-
19 trol Strategy, including—

20 “(A) requests funding for Federal law en-
21 forcement activities that do not adequately com-
22 pensate for transfers of drug enforcement re-
23 sources and personnel to law enforcement and
24 investigation activities;

1 “(B) requests funding for law enforcement
2 activities on the borders of the United States
3 that do not adequately direct resources to drug
4 interdiction and enforcement;

5 “(C) requests funding for drug treatment
6 activities that do not provide adequate results
7 and accountability measures;

8 “(D) requests funding for drug treatment
9 activities that do not adequately support and
10 enhance Federal drug treatment programs and
11 capacity; and

12 “(E) requests funding for the operations
13 and management of the Department of Home-
14 land Security that does not include a specific
15 request for funds for the Office of Counter-
16 narcotics Enforcement to carry out its respon-
17 sibilities under section 878 of the Homeland Se-
18 curity Act of 2002 (6 U.S.C. 458).

19 “(4) AGENCY RESPONSE.—

20 “(A) IN GENERAL.—The head of a Na-
21 tional Drug Control Program Agency that re-
22 ceives a description under paragraph (2)(A)
23 shall include the funding levels and initiatives
24 described by the Director in the budget submis-

1 sion for that agency to the Office of Manage-
2 ment and Budget.

3 “(B) IMPACT STATEMENT.—The head of a
4 National Drug Control Program Agency that
5 has altered its budget submission under this
6 paragraph shall include as an appendix to the
7 budget submission for that agency to the Office
8 of Management and Budget an impact state-
9 ment that summarizes—

10 “(i) the changes made to the budget
11 under this paragraph; and

12 “(ii) the impact of those changes on
13 the ability of that agency to perform its
14 other responsibilities, including any impact
15 on specific missions or programs of the
16 agency.

17 “(C) CONGRESSIONAL NOTIFICATION.—
18 The head of a National Drug Control Program
19 Agency shall submit a copy of any impact state-
20 ment under subparagraph (B) to the Senate,
21 the House of Representatives, and the appro-
22 priate congressional committees, at the time the
23 budget for that agency is submitted to Congress
24 under section 1105(a).

1 “(5) CERTIFICATION OF BUDGET SUBMIS-
2 SIONS.—

3 “(A) IN GENERAL.—At the time a Na-
4 tional Drug Control Program Agency submits
5 its budget request to the Office of Management
6 and Budget, the head of the National Drug
7 Control Program Agency shall submit a copy of
8 the budget request to the Director.

9 “(B) REVIEW AND CERTIFICATION OF
10 SUBMISSIONS.—The Director shall review each
11 budget submission submitted under subpara-
12 graph (A) and submit to the appropriate con-
13 gressional committees one of the following:

14 “(i) A written certification of the
15 budget request for the agency indicating
16 such request fully funds the National Drug
17 Control Programs as necessary to achieve
18 the goals of the National Drug Control
19 Strategy, including a written statement ex-
20 plaining the basis for the determination
21 that the budget provides sufficient re-
22 sources for the agency to achieve the goals
23 of the Strategy.

24 “(ii) A written certification of the
25 budget request for the agency indicating

1 such request partially funds the National
2 Drug Control Programs as necessary to
3 achieve the goals of the Strategy, including
4 a written statement explaining the basis
5 for the determination and identifying the
6 level of funding sufficient to achieve the
7 goals of the Strategy.

8 “(iii) A written decertification of the
9 budget request for the agency indicating
10 the Director is unable to determine wheth-
11 er such budget request for the agency fully
12 funds or partially funds the National Drug
13 Control Programs as necessary to achieve
14 the goals of the National Drug Control
15 Strategy, including a written statement
16 identifying the additional information nec-
17 essary for the Director to make a deter-
18 mination on such budget and the level of
19 funding sufficient to achieve the goals of
20 the Strategy.

21 “(iv) A written decertification of the
22 budget request for the agency indicating
23 that such budget is insufficient to fund the
24 National Drug Control Programs as nec-
25 essary to achieve the goals of the Strategy,

1 including a written statement explaining
2 the basis for the determination that the
3 budget is insufficient and identifying the
4 level of funding sufficient to achieve the
5 goals of the Strategy.

6 “(d) NATIONAL DRUG CONTROL PROGRAM BUDGET
7 PROPOSAL.—For each fiscal year, following the trans-
8 mission of proposed drug control budget requests to the
9 Director under subsection (b), the Director shall, in con-
10 sultation with the head of each National Drug Control
11 Program Agency and the head of each major national or-
12 ganization that represents law enforcement officers, agen-
13 cies, or associations—

14 “(1) develop a consolidated National Drug Con-
15 trol Program budget proposal designed to implement
16 the National Drug Control Strategy and to inform
17 Congress and the public about the total amount pro-
18 posed to be spent on all supply reduction, demand
19 reduction, State, local, and Tribal affairs, including
20 any drug law enforcement, and other drug control
21 activities by the Federal Government, which shall
22 conform to the content requirements set forth in
23 subsection (b)(3) and include—

24 “(A) for each National Drug Control Pro-
25 gram Agency, a list of whether the funding level

1 is full, partial, or insufficient to achieve the
2 goals of the National Drug Control Strategy or
3 whether the Director is unable to determine
4 whether the budget request for the agency fully
5 funds or partially funds the agency's activities
6 and contributions as necessary to achieve the
7 goals of National Drug Control Strategy;

8 “(B) a statement describing the extent to
9 which any budget of a National Drug Control
10 Program Agency with less than full funding
11 hinders progress on achieving the goals of the
12 National Drug Control Strategy; and

13 “(C) alternative funding structures that
14 could improve progress on achieving the goals
15 of the National Drug Control Strategy; and

16 “(2) submit the consolidated budget proposal to
17 the President and Congress.

18 “(e) BUDGET ESTIMATE OR REQUEST SUBMISSION
19 TO CONGRESS.—Whenever the Director submits any
20 budget estimate or request to the President or the Office
21 of Management and Budget, the Director shall concur-
22 rently transmit copies of that estimate or request to the
23 appropriate congressional committees.

24 “(f) REPROGRAMMING AND TRANSFER REQUESTS.—

1 “(1) IN GENERAL.—No National Drug Control
2 Program Agency shall submit to Congress a re-
3 programming or transfer request with respect to any
4 amount of appropriated funds in an amount exceed-
5 ing \$1,000,000 that is included in the National
6 Drug Control Program budget unless the request
7 has been approved by the Director. If the Director
8 has not responded to a request for reprogramming
9 subject to this paragraph within 30 days after re-
10 ceiving notice of the request having been made, the
11 request shall be deemed approved by the Director
12 under this paragraph and forwarded to Congress.

13 “(2) APPEAL.—The head of any National Drug
14 Control Program Agency may appeal to the Presi-
15 dent any disapproval by the Director of a re-
16 programming or transfer request under this sub-
17 section.

18 **“§ 1005. National drug control strategy**

19 “(a) IN GENERAL.—

20 “(1) STATEMENT OF DRUG POLICY PRIOR-
21 ITIES.—The Director shall release a statement of
22 drug policy priorities in the calendar year of a Presi-
23 dential inauguration following the inauguration but
24 not later than April 1.

1 “(2) NATIONAL DRUG CONTROL STRATEGY
2 SUBMITTED BY THE PRESIDENT.—Not later than
3 the first Monday in February following the year in
4 which the term of the President commences, the
5 President shall submit to Congress a National Drug
6 Control Strategy.

7 “(b) DEVELOPMENT OF THE NATIONAL DRUG CON-
8 TROL STRATEGY.—

9 “(1) PROMULGATION.—The Director shall pro-
10 mulgate the National Drug Control Strategy, which
11 shall set forth a comprehensive plan to reduce illicit
12 drug use and the consequences of such illicit drug
13 use in the United States by limiting the availability
14 of and reducing the demand for illegal drugs and
15 promoting prevention, early intervention, treatment,
16 and recovery support for individuals with substance
17 use disorders.

18 “(2) STATE AND LOCAL COMMITMENT.—The
19 Director shall seek the support and commitment of
20 State, local, and Tribal officials in the formulation
21 and implementation of the National Drug Control
22 Strategy.

23 “(3) STRATEGY BASED ON EVIDENCE.—The Di-
24 rector shall ensure the National Drug Control Strat-
25 egy is based on the best available medical and sci-

1 entific evidence regarding the policies that are most
2 effective in reducing the demand for and supply of
3 illegal drugs.

4 “(4) PROCESS FOR DEVELOPMENT AND SUB-
5 MISSION OF NATIONAL DRUG CONTROL STRATEGY.—

6 In developing and effectively implementing the Na-
7 tional Drug Control Strategy, the Director—

8 “(A) shall consult with—

9 “(i) the heads of the National Drug
10 Control Program Agencies;

11 “(ii) the United States Interdiction
12 Coordinator;

13 “(iii) the Interdiction Committee;

14 “(iv) the appropriate congressional
15 committees and any other committee of ju-
16 risdiction;

17 “(v) State, local, and Tribal officials;

18 “(vi) private citizens and organiza-
19 tions, including community and faith-based
20 organizations, with experience and exper-
21 tise in demand reduction;

22 “(vii) private citizens and organiza-
23 tions with experience and expertise in sup-
24 ply reduction; and

1 “(viii) appropriate representatives of
2 foreign governments; and

3 “(B) in satisfying the requirements of sub-
4 paragraph (A), shall ensure, to the maximum
5 extent possible, that State, local, and Tribal of-
6 ficials and relevant private organizations com-
7 mit to support and take steps to achieve the
8 goals and objectives of the National Drug Con-
9 trol Strategy.

10 “(c) CONTENTS OF THE NATIONAL DRUG CONTROL
11 STRATEGY.—

12 “(1) IN GENERAL.—The National Drug Control
13 Strategy submitted under subsection (a)(2) shall in-
14 clude the following:

15 “(A) A description of the current preva-
16 lence of illicit drug use in the United States, in-
17 cluding both the availability of illicit drugs and
18 the prevalence of substance use disorders, which
19 shall include the following:

20 “(i) Such description for the previous
21 three years for any drug identified as an
22 emerging threat under section 1009 and
23 any other illicit drug identified by the Di-
24 rector as having a significant impact on
25 the prevalence of illicit drug use.

1 “(ii) A summary of the data and
2 trends presented in the Drug Control Data
3 Dashboard required under section 1013.

4 “(B) A mission statement detailing the
5 major functions of the National Drug Control
6 Program.

7 “(C) A list of comprehensive, research-
8 based, long-range, quantifiable goals for reduc-
9 ing illicit drug use, including—

10 “(i) the percentage of the total flow of
11 illicit drugs to be interdicted during the
12 time period covered by the Strategy; and

13 “(ii) the number of individuals to re-
14 ceive treatment for substance use dis-
15 orders.

16 “(D) A description of how each goal listed
17 in the National Drug Control Strategy will be
18 achieved, including—

19 “(i) a list of relevant National Drug
20 Control Program Agencies and each such
21 agency’s related programs, activities, and
22 available assets and the role of each such
23 program, activity, and asset in achieving
24 the goal;

1 “(ii) a list of relevant stakeholders
2 and each such stakeholder’s role in achiev-
3 ing the goal;

4 “(iii) an estimate of Federal funding
5 and other resources needed to achieve each
6 goal;

7 “(iv) an identification of existing or
8 new coordinating mechanisms needed to
9 achieve the goal; and

10 “(v) a description of the Office’s role
11 in facilitating the achievement of such
12 goal.

13 “(E) For each year covered by the Strat-
14 egy, a performance evaluation plan for each
15 goal listed in the National Drug Control Strat-
16 egy for each National Drug Control Program
17 Agency, including—

18 “(i) specific performance measures for
19 each National Drug Control Program
20 Agency and each such agency’s related
21 programs and activities;

22 “(ii) annual and quarterly objectives
23 and targets for each performance measure;
24 and

1 “(iii) an estimate of Federal funding
2 and other resources needed to achieve each
3 performance measure.

4 “(F) A list identifying existing data
5 sources or a description of data collection need-
6 ed to evaluate performance, including a descrip-
7 tion of how the Director will obtain such data.

8 “(G) A list of anticipated challenges to
9 achieving the National Drug Control Strategy
10 goals and planned actions to address such chal-
11 lenges;

12 “(H) A description of how each goal was
13 determined, including—

14 “(i) a description of each required
15 consultation and how such consultation
16 was incorporated;

17 “(ii) data, research, or other informa-
18 tion used to inform the decision; and

19 “(iii) a statement of whether the goal
20 established in subparagraph (C)(i) will be
21 adequate to disrupt drug trafficking orga-
22 nizations that supply the majority of for-
23 eign-sourced illicit drugs trafficked into the
24 United States.

1 “(I) A 5-year projection for program and
2 budget priorities.

3 “(J) A review of international, State, local,
4 and private sector drug control activities to en-
5 sure that the United States pursues coordinated
6 and effective drug control at all levels of gov-
7 ernment.

8 “(K) Such statistical data and information
9 as the Director considers appropriate to dem-
10 onstrate and assess trends relating to illicit
11 drug use, the effects and consequences of illicit
12 drug use (including the effects on children),
13 supply reduction, demand reduction, drug-re-
14 lated law enforcement, and the implementation
15 of the National Drug Control Strategy.

16 “(2) ADDITIONAL STRATEGIES.—

17 “(A) IN GENERAL.—The Director shall in-
18 clude in the National Drug Control Strategy
19 the additional strategies required under this
20 paragraph and shall comply with the following:

21 “(i) Provide a copy of the additional
22 strategies to the appropriate congressional
23 committees and to the Committee on
24 Armed Services and the Committee on
25 Homeland Security of the House of Rep-

1 representatives, and the Committee on Home-
2 land Security and Governmental Affairs
3 and the Committee on Armed Services of
4 the Senate.

5 “(ii) Issue the additional strategies in
6 consultation with the head of each relevant
7 National Drug Control Program Agency
8 and any relevant official of a State, local
9 or Tribal government, and the government
10 of other countries.

11 “(iii) Not change any existing agency
12 authority or construe any strategy de-
13 scribed under this paragraph to amend or
14 modify any law governing interagency rela-
15 tionship but may include recommendations
16 about changes to such authority or law.

17 “(iv) Present separately from the rest
18 of any strategy described under this para-
19 graph any information classified under cri-
20 teria established by an Executive order, or
21 whose public disclosure, as determined by
22 the Director or the head of any relevant
23 National Drug Control Program Agency,
24 would be detrimental to the law enforce-

1 ment or national security activities of any
2 Federal, State, local, or Tribal agency.

3 “(B) REQUIREMENT FOR SOUTHWEST
4 BORDER COUNTERNARCOTICS.—

5 “(i) PURPOSES.—The Southwest Bor-
6 der Counternarcotics Strategy shall—

7 “(I) set forth the Government’s
8 strategy for preventing the illegal traf-
9 ficking of drugs across the inter-
10 national border between the United
11 States and Mexico, including through
12 ports of entry and between ports of
13 entry on that border;

14 “(II) state the specific roles and
15 responsibilities of the relevant Na-
16 tional Drug Control Program Agen-
17 cies for implementing that strategy;
18 and

19 “(III) identify the specific re-
20 sources required to enable the relevant
21 National Drug Control Program
22 Agencies to implement that strategy.

23 “(ii) SPECIFIC CONTENT RELATED TO
24 DRUG TUNNELS BETWEEN THE UNITED
25 STATES AND MEXICO.—The Southwest

1 Border Counternarcotics Strategy shall in-
2 clude—

3 “(I) a strategy to end the con-
4 struction and use of tunnels and sub-
5 terranean passages that cross the
6 international border between the
7 United States and Mexico for the pur-
8 pose of illegal trafficking of drugs
9 across such border; and

10 “(II) recommendations for crimi-
11 nal penalties for persons who con-
12 struct or use such a tunnel or sub-
13 terranean passage for such a purpose.

14 “(C) REQUIREMENT FOR NORTHERN BOR-
15 DER COUNTERNARCOTICS STRATEGY.—

16 “(i) PURPOSES.—The Northern Bor-
17 der Counternarcotics Strategy shall—

18 “(I) set forth the strategy of the
19 Federal Government for preventing
20 the illegal trafficking of drugs across
21 the international border between the
22 United States and Canada, including
23 through ports of entry and between
24 ports of entry on the border;

1 “(II) state the specific roles and
2 responsibilities of each relevant Na-
3 tional Drug Control Program Agency
4 for implementing the strategy;

5 “(III) identify the specific re-
6 sources required to enable the relevant
7 National Drug Control Program
8 Agencies to implement the strategy;

9 “(IV) be designed to promote,
10 and not hinder, legitimate trade and
11 travel; and

12 “(V) reflect the unique nature of
13 small communities along the inter-
14 national border between the United
15 States and Canada, ongoing coopera-
16 tion and coordination with Canadian
17 law, enforcement authorities, and
18 variations in the volumes of vehicles
19 and pedestrians crossing through
20 ports of entry along the international
21 border between the United States and
22 Canada.

23 “(ii) SPECIFIC CONTENT RELATED TO
24 CROSS-BORDER INDIAN RESERVATIONS.—

1 The Northern Border Counternarcotics
2 Strategy shall include—

3 “(I) a strategy to end the illegal
4 trafficking of drugs to or through In-
5 dian reservations on or near the inter-
6 national border between the United
7 States and Canada; and

8 “(II) recommendations for addi-
9 tional assistance, if any, needed by
10 Tribal law enforcement agencies relat-
11 ing to the strategy, including an eval-
12 uation of Federal technical and finan-
13 cial assistance, infrastructure capacity
14 building, and interoperability defi-
15 ciencies.

16 “(3) CLASSIFIED INFORMATION.—Any contents
17 of the National Drug Control Strategy that involve
18 information properly classified under criteria estab-
19 lished by an Executive order shall be presented to
20 Congress separately from the rest of the National
21 Drug Control Strategy.

22 “(4) SELECTION OF DATA AND INFORMA-
23 TION.—In selecting data and information for inclu-
24 sion under paragraph (1), the Director shall en-
25 sure—

1 “(A) the inclusion of data and information
2 that will permit analysis of current trends
3 against previously compiled data and informa-
4 tion where the Director believes such analysis
5 enhances long-term assessment of the National
6 Drug Control Strategy; and

7 “(B) the inclusion of data and information
8 to permit a standardized and uniform assess-
9 ment of the effectiveness of drug treatment pro-
10 grams in the United States.

11 “(d) ANNUAL PERFORMANCE SUPPLEMENT.—Not
12 later than the first Monday in February of each year fol-
13 lowing the year in which the National Drug Control Strat-
14 egy is submitted pursuant to subsection (a)(2), the Direc-
15 tor shall submit to the appropriate congressional commit-
16 tees a supplement to the Strategy that shall include—

17 “(1) annual and quarterly quantifiable and
18 measurable objectives and specific targets to accom-
19 plish long-term quantifiable goals specified in the
20 Strategy; and

21 “(2) for each year covered by the Strategy, a
22 performance evaluation plan for each goal listed in
23 the Strategy for each National Drug Control Pro-
24 gram Agency, including—

1 annual goals, objectives, and targets contained in the Na-
2 tional Drug Control Strategy applicable to the prior fiscal
3 year.

4 “(b) PROCESS FOR DEVELOPMENT OF THE ANNUAL
5 ASSESSMENT.—Not later than November 1 of each year,
6 the head of each National Drug Control Program Agency
7 shall submit, in accordance with guidance issued by the
8 Director, to the Director an evaluation of progress by the
9 agency with respect to drug control program goals using
10 the performance measures for the agency developed under
11 this section, including progress with respect to—

12 “(1) success in achieving the goals of the Na-
13 tional Drug Control Strategy;

14 “(2) success in reducing domestic and foreign
15 sources of illegal drugs;

16 “(3) success in expanding access to and in-
17 creasing the effectiveness of substance use disorder
18 treatment;

19 “(4) success in protecting the borders of the
20 United States (and in particular the Southwestern
21 border of the United States) from penetration by il-
22 legal narcotics;

23 “(5) success in reducing crime associated with
24 drug use in the United States;

1 “(6) success in reducing the negative health
2 and social consequences of drug use in the United
3 States; and

4 “(7) implementation of drug treatment and pre-
5 vention programs in the United States and improve-
6 ments in the adequacy and effectiveness of such pro-
7 grams.

8 “(c) CONTENTS OF THE ANNUAL ASSESSMENT.—
9 The Director shall include in the annual assessment re-
10 quired under subsection (a)—

11 “(1) a summary of each evaluation received by
12 the Director under subsection (b);

13 “(2) a summary of the progress of each Na-
14 tional Drug Control Program Agency toward the
15 drug control program goals of the agency using the
16 performance measures for the agency developed
17 under this section;

18 “(3) an assessment of the effectiveness of each
19 Drug Control Program agency and program in
20 achieving the National Drug Control Strategy for
21 the previous year, including a specific evaluation of
22 whether the applicable goals, measures, objectives,
23 and targets for the previous year were met;

24 “(4) for National Drug Control Program Agen-
25 cies that administer grant programs, an evaluation

1 of the effectiveness of each grant program, including
2 an accounting of the funds disbursed by the pro-
3 gram in the prior year and a summary of how those
4 funds were used by the grantees and sub-grantees
5 during that period;

6 “(5) a detailed accounting of the amount of
7 funds obligated by each National Drug Control Pro-
8 gram Agency in carrying out the responsibilities of
9 that agency under the Strategy, including the infor-
10 mation submitted to the Director under section
11 1007(b);

12 “(6) an assessment of the effectiveness of any
13 Emerging Threat Response Plan in effect for the
14 previous year, including a specific evaluation of
15 whether the objectives and targets were met and rea-
16 sons for the success or failure of the previous year’s
17 plan;

18 “(7) a detailed accounting of the amount of
19 funds obligated during the previous fiscal year for
20 carrying out the media campaign under section
21 1009(d), including each recipient of funds, the pur-
22 pose of each expenditure, the amount of each ex-
23 penditure, any available outcome information, and
24 any other information necessary to provide a com-
25 plete accounting of the funds expended; and

1 “(8) the assessments required under this sub-
2 section shall be based on the Performance Measure-
3 ment System describe in subsection (d).

4 “(d) PERFORMANCE MEASUREMENT SYSTEM.—The
5 Director shall include in the annual assessment required
6 under subsection (a) a national drug control performance
7 measurement system, that—

8 “(1) develops annual, 2-year, and 5-year per-
9 formance measures, objectives, and targets for each
10 National Drug Control Strategy goal and objective
11 established for reducing drug use, availability, and
12 the consequences of drug use;

13 “(2) describes the sources of information and
14 data that will be used for each performance measure
15 incorporated into the performance measurement sys-
16 tem;

17 “(3) identifies major programs and activities of
18 the National Drug Control Program Agencies that
19 support the goals and annual objectives of the Na-
20 tional Drug Control Strategy;

21 “(4) evaluates the contribution of demand re-
22 duction and supply reduction activities implemented
23 by each National Drug Control Program Agency in
24 support of the National Drug Control Strategy;

1 “(5) monitors consistency between the drug-re-
2 lated goals, measures, targets, and objectives of the
3 National Drug Control Program Agencies and en-
4 sures that each agency’s goals and budgets support,
5 and are fully consistent with, the National Drug
6 Control Strategy; and

7 “(6) coordinates the development and imple-
8 mentation of national drug control data collection
9 and reporting systems to support policy formulation
10 and performance measurement, including an assess-
11 ment of—

12 “(A) the quality of current drug use meas-
13 urement instruments and techniques to measure
14 supply reduction and demand reduction activi-
15 ties;

16 “(B) the adequacy of the coverage of exist-
17 ing national drug use measurement instruments
18 and techniques to measure the illicit drug user
19 population, and groups that are at risk for il-
20 licit drug use;

21 “(C) the adequacy of the coverage of exist-
22 ing national treatment outcome monitoring sys-
23 tems to measure the effectiveness of substance
24 use disorder treatment in reducing illicit drug
25 use and criminal behavior during and after the

1 completion of substance use disorder treatment;
2 and

3 “(D) the actions the Director shall take to
4 correct any deficiencies and limitations identi-
5 fied pursuant to subparagraphs (A), (B), and
6 (C).

7 “(e) MODIFICATIONS.—A description of any modi-
8 fications made during the preceding year to the national
9 drug performance measurement system described in sub-
10 section (d) shall be included in each report submitted
11 under subsection (a).

12 “(f) ANNUAL REPORT ON CONSULTATION.—The Di-
13 rector shall include in the annual assessment required
14 under subsection (a)—

15 “(1) a detailed description of how the Office
16 has consulted with and assisted State, local, and
17 Tribal governments with respect to the formulation
18 and implementation of the National Drug Control
19 Strategy and other relevant issues; and

20 “(2) a general review of the status of, and
21 trends in, demand reduction activities by private sec-
22 tor entities and community-based organizations, in-
23 cluding faith-based organizations, to determine their
24 effectiveness and the extent of cooperation, coordina-
25 tion, and mutual support between such entities and

1 organizations and Federal, State, local, and Tribal
2 government agencies.

3 “(g) PERFORMANCE-BUDGET COORDINATOR.—

4 “(1) DESIGNATION.—The Director shall des-
5 ignate or appoint a United States Performance-
6 Budget Coordinator to—

7 “(A) ensure the Director has sufficient in-
8 formation about the performance of each Na-
9 tional Drug Control Program Agency, the im-
10 pact Federal funding has had on the goals in
11 the Strategy, and the likely contributions to the
12 goals of the Strategy based on funding levels of
13 each National Drug Control Program Agency,
14 to make an independent assessment of the
15 budget request of each agency under section
16 1004;

17 “(B) advise the Director on agency budg-
18 ets, performance measures and targets, and ad-
19 ditional data and research needed to make in-
20 formed policy decisions in the National Drug
21 Control Budget and Strategy; and

22 “(C) other duties as may be determined by
23 the Director with respect to measuring or as-
24 sessing performance or agency budgets.

1 “(2) DETERMINATION OF POSITION.—The Di-
2 rector shall determine whether the coordinator posi-
3 tion is a career or noncareer position in the Senior
4 Executive Service.

5 **“§ 1007. Monitoring and evaluation of national drug**
6 **control program**

7 “(a) IN GENERAL.—The Director shall monitor im-
8 plementation of the National Drug Control Program and
9 the activities of the National Drug Control Program Agen-
10 cies in carrying out the goals and objectives of the Na-
11 tional Drug Control Strategy including—

12 “(1) conducting program and performance au-
13 dits and evaluations; and

14 “(2) requesting assistance from the Inspector
15 General of the relevant agency in such audits and
16 evaluations.

17 “(b) ACCOUNTING OF FUNDS EXPENDED.—Not later
18 than December 1 of each year and in accordance with
19 guidance issued by the Director, the head of each National
20 Drug Control Program Agency shall submit to the Direc-
21 tor a detailed accounting of all funds expended by the
22 agency for National Drug Control Program activities dur-
23 ing the previous fiscal year and shall ensure such detailed
24 accounting is authenticated by the Inspector General for
25 such agency prior to submission to the Director.

1 ommendations to National Drug Control Program Agency
2 heads with respect to implementation of National Drug
3 Control Programs.

4 “(b) DETAILING EMPLOYEES TO OTHER AGEN-
5 CIES.—

6 “(1) REQUEST.—The Director may request the
7 head of an agency or program of the Federal Gov-
8 ernment to place agency personnel who are engaged
9 in drug control activities on temporary detail to an-
10 other agency in order to implement the National
11 Drug Control Strategy.

12 “(2) AGENCY COMPLIANCE.—The head of the
13 agency shall comply with such a request.

14 “(3) MAXIMUM NUMBER OF DETAILEES.—The
15 maximum number of personnel who may be detailed
16 to another agency (including the Office) under this
17 subsection during any fiscal year is—

18 “(A) for the Department of Defense, 50;

19 and

20 “(B) for any other agency, 10.

21 “(c) DIRECTING FEDERAL FUNDING.—The Director
22 may transfer funds made available to a National Drug
23 Control Program Agency for National Drug Control Strat-
24 egy programs and activities to another account within
25 such agency or to another National Drug Control Program

1 Agency for National Drug Control Strategy programs and
2 activities, except that—

3 “(1) the authority under this subsection may be
4 limited in an annual appropriations Act or other
5 provision of Federal law;

6 “(2) the Director may exercise the authority
7 under this subsection only with the concurrence of
8 the head of each affected agency;

9 “(3) in the case of an interagency transfer, the
10 total amount of transfers under this subsection may
11 not exceed 3 percent of the total amount of funds
12 made available for National Drug Control Strategy
13 programs and activities to the agency from which
14 those funds are to be transferred;

15 “(4) funds transferred to an agency under this
16 subsection may only be used to increase the funding
17 for programs or activities authorized by law;

18 “(5) the Director shall—

19 “(A) submit to the appropriate congress-
20 sional committees and any other applicable
21 committees of jurisdiction, a reprogramming or
22 transfer request in advance of any transfer
23 under this subsection in accordance with the
24 regulations of the affected agency or agencies;
25 and

1 “(B) annually submit to the appropriate
2 congressional committees a report describing
3 the effect of all transfers of funds made pursu-
4 ant to this subsection or section 1004(f) during
5 the 12-month period preceding the date on
6 which the report is submitted; and

7 “(6) funds may only be used for—

8 “(A) expansion of demand reduction activi-
9 ties;

10 “(B) interdiction of illicit drugs on the
11 high seas, in United States territorial waters,
12 and at United States ports of entry by officers
13 and employees of Drug Control Program Agen-
14 cies and domestic and foreign law enforcement
15 officers;

16 “(C) accurate assessment and monitoring
17 of international drug production and interdic-
18 tion programs and policies;

19 “(D) activities to facilitate and enhance
20 the sharing of domestic and foreign intelligence
21 information among Drug Control Program
22 Agencies related to the production and traf-
23 ficking of drugs in the United States and for-
24 eign countries; and

1 “(E) activities to prevent the diversion of
2 prescription drugs for illicit use and research
3 related to any of these activities.

4 “(d) DIRECTING FEDERAL FUNDING TO RESPOND
5 TO EMERGING THREATS.—

6 “(1) IN GENERAL.—The Director may transfer
7 funds made available to a National Drug Control
8 Program Agency for National Drug Control Strategy
9 programs and activities to another account within
10 such agency or to another National Drug Control
11 Program Agency for National Drug Control Strategy
12 programs and activities to implement the provisions
13 of a plan developed under section 1009, except
14 that—

15 “(A) the authority under this subsection
16 may be limited in an annual appropriations Act
17 or other provision of Federal law;

18 “(B) in the case of an interagency trans-
19 fer, the total amount of transfers under this
20 subsection may not exceed 10 percent of the
21 total amount of funds made available for Na-
22 tional Drug Control Strategy programs and ac-
23 tivities to the agency from which those funds
24 are to be transferred;

1 “(C) funds transferred to an agency under
2 this subsection may only be used to increase the
3 funding for programs or activities authorized by
4 law;

5 “(D) no transfer of funds under this sub-
6 section may result in a reduction in total Fed-
7 eral expenditures for substance use disorder
8 treatment;

9 “(E) the Director shall—

10 “(i) submit to the appropriate con-
11 gressional committees and any other appli-
12 cable committees of jurisdiction, a re-
13 programming or transfer request in ad-
14 vance of any transfer under this subsection
15 in accordance with the regulations of each
16 affected agency; and

17 “(ii) annually submit to the appro-
18 priate congressional committees a report
19 describing the effect of all transfers of
20 funds made pursuant to this subsection or
21 section 1004(f) during the 12-month pe-
22 riod preceding the date on which the report
23 is submitted; and

24 “(F) funds may only be used for—

1 “(i) expansion of demand reduction
2 activities;

3 “(ii) interdiction of illicit drugs on the
4 high seas, in United States territorial
5 waters, and at United States ports of entry
6 by officers and employees of Drug Control
7 Program agencies and domestic and for-
8 eign law enforcement officers;

9 “(iii) accurate assessment and moni-
10 toring of international drug production and
11 interdiction programs and policies;

12 “(iv) activities to facilitate and en-
13 hance the sharing of domestic and foreign
14 intelligence information among Drug Con-
15 trol Program Agencies related to the pro-
16 duction and trafficking of drugs in the
17 United States and foreign countries; and

18 “(v) activities to prevent the diversion
19 of prescription drugs for illicit use and re-
20 search related to any of these activities.

21 “(2) INADEQUACY OF TRANSFER.—In the event
22 the authority under this subsection is inadequate to
23 implement the provisions of a plan developed under
24 section 1009, the Director shall submit a request for

1 funding to Congress as soon as the Director becomes
2 aware of the need for additional funding.

3 “(e) FUND CONTROL NOTICES.—

4 “(1) IN GENERAL.—The Director may issue to
5 the head of a National Drug Control Program Agen-
6 cy a fund control notice to ensure compliance with
7 the National Drug Control Program Strategy. A
8 fund control notice may direct that all or part of an
9 amount appropriated to the National Drug Control
10 Program Agency account be obligated by—

11 “(A) months, fiscal year quarters, or other
12 time periods; and

13 “(B) activities, functions, projects, or ob-
14 ject classes.

15 “(2) UNAUTHORIZED OBLIGATION OR EXPENDI-
16 TURE PROHIBITED.—An officer or employee of a
17 National Drug Control Program Agency shall not
18 make or authorize an expenditure or obligation con-
19 trary to a fund control notice issued by the Director.

20 “(3) DISCIPLINARY ACTION FOR VIOLATION.—
21 In the case of a violation of paragraph (2) by an of-
22 ficer or employee of a National Drug Control Pro-
23 gram Agency, the head of the agency, upon the re-
24 quest of and in consultation with the Director, may
25 subject the officer or employee to appropriate ad-

1 ministrative discipline, including, when cir-
2 cumstances warrant, suspension from duty without
3 pay or removal from office.

4 “(4) CONGRESSIONAL NOTICE.—Not later than
5 5 days after issuance of a fund control notice, the
6 Director shall submit a copy of such fund control
7 notice to the appropriate congressional committees
8 and make such notice publicly available.

9 “(5) RESTRICTIONS.—The Director shall not
10 issue a fund control notice to direct that all or part
11 of an amount appropriated to the National Drug
12 Control Program Agency account be obligated, modi-
13 fied, or altered in any manner contrary, in whole or
14 in part, to a specific appropriation or statute.

15 “(f) EXCLUSIONS.—The authorities described under
16 subsections (c), (d), and (e) do not apply to any program
17 under subchapter II or III.

18 “(g) FOREIGN ASSISTANCE ACT PARTICIPATION.—
19 The Director may participate in the drug certification
20 process pursuant to section 490 of the Foreign Assistance
21 Act of 1961 (22 U.S.C. 2291j) and section 706 of the
22 Department of State Authorization Act for Fiscal Year
23 2003 (22 U.S.C. 229j–1).

24 “(h) CERTIFICATIONS OF POLICY CHANGES TO DI-
25 RECTOR.—

1 “(1) IN GENERAL.—Subject to paragraph (2),
2 the head of a National Drug Control Program Agen-
3 cy shall, unless exigent circumstances require other-
4 wise, notify the Director in writing regarding any
5 proposed change in policies relating to the activities
6 of that agency under the National Drug Control
7 Program prior to implementation of such change.
8 The Director shall promptly review such proposed
9 change and certify to the head of that agency in
10 writing whether such change is consistent with the
11 National Drug Control Strategy.

12 “(2) EXCEPTION.—If prior notice of a proposed
13 change under paragraph (1) is not practicable—

14 “(A) the head of the National Drug Con-
15 trol Program Agency shall notify the Director
16 of the proposed change as soon as practicable;
17 and

18 “(B) upon such notification, the Director
19 shall review the change and certify to the head
20 of that agency in writing whether the change is
21 consistent with the National Drug Control
22 Strategy.

23 “(i) WORK IN CONJUNCTION WITH ASSISTANT FOR
24 NATIONAL SECURITY AFFAIRS.—The Director shall, in
25 any matter affecting national security interests, work in

1 conjunction with the Assistant to the President for Na-
2 tional Security Affairs.

3 **“§ 1009. Emerging threats taskforce, plan, media cam-
4 paign**

5 “(a) EMERGING THREATS TASK FORCE.—

6 “(1) EMERGING AND CONTINUING THREATS CO-
7 ORDINATOR.—The Director shall designate or ap-
8 point a United States Emerging and Continuing
9 Threats Coordinator to perform the duties of that
10 position described in this section and such other du-
11 ties as may be determined by the Director. The Di-
12 rector shall determine whether the coordinator posi-
13 tion is a career or noncareer position in the Senior
14 Executive Service.

15 “(2) ESTABLISHMENT AND MONITORING.—The
16 Emerging and Continuing Threats Coordinator (re-
17 ferred to in this section as the ‘Coordinator’) shall
18 monitor evolving and emerging drug threats in the
19 United States and shall serve as Chair of an Emerg-
20 ing Threats Task Force (in this section, referred to
21 as the ‘task force’). The Director shall appoint other
22 members of the Task force, which shall include rep-
23 resentatives from—

24 “(A) National Drug Control Program
25 Agencies or other agencies;

1 “(B) State, local, and Tribal governments;
2 and

3 “(C) other entities as determined to be
4 necessary by the Director.

5 “(3) INFORMATION SHARING.—The task force
6 shall disseminate and facilitate the sharing with
7 Federal, State, local, and Tribal officials and other
8 entities as determined by the Director of pertinent
9 information and data relating to the following:

10 “(A) Recent trends in drug supply and de-
11 mand.

12 “(B) Drug overdose deaths.

13 “(C) Substance use disorder treatment ad-
14 mission trends.

15 “(D) Recent trends in drug interdiction,
16 supply, and demand from State, local, and
17 Tribal law enforcement agencies.

18 “(E) Other subject matter as determined
19 necessary by the Director.

20 “(4) CRITERIA TO IDENTIFY EMERGING DRUG
21 THREATS.—Not later than 60 days after the date on
22 which a task force first meets, the task force shall
23 develop and recommend to the Director criteria to be
24 used to identify an emerging drug threat or the ter-
25 mination of an emerging drug threat designation

1 based on information gathered by the task force in
2 paragraph (2), statistical data, and other evidence.

3 “(5) MEETINGS.—The task force shall meet in
4 person not less frequently than quarterly and at ad-
5 ditional meetings if determined to be necessary by
6 and at the call of the Chair to—

7 “(A) identify and discuss evolving and
8 emerging drug trends in the United States
9 using the criteria established in paragraph (3);

10 “(B) formulate the plan described in sub-
11 section (c);

12 “(C) oversee implementation of the plan
13 described in subsection (c); and

14 “(D) provide such other advice to the Co-
15 ordinator and Director concerning strategy and
16 policies for emerging drug threats and trends as
17 the task force determines to be appropriate.

18 “(b) DESIGNATION.—

19 “(1) IN GENERAL.—The Director, in consulta-
20 tion with the Coordinator, the task force, and the
21 head of each National Drug Control Program Agen-
22 cy, may designate an emerging drug threat in the
23 United States.

24 “(2) STANDARDS FOR DESIGNATION.—The Di-
25 rector, in consultation with the Coordinator, shall

1 promulgate and make publicly available standards by
2 which a designation under paragraph (1) and the
3 termination of such designation may be made. In de-
4 veloping such standards, the Director shall consider
5 the recommendations of the task force and other cri-
6 teria the Director considers to be appropriate.

7 “(3) PUBLIC STATEMENT REQUIRED.—The Di-
8 rector shall publish a public written statement on
9 the portal of the Office explaining the designation of
10 an emerging drug threat or the termination of such
11 designation and shall notify the appropriate congres-
12 sional committees of the availability of such state-
13 ment when a designation or termination of such des-
14 ignation has been made.

15 “(c) PLAN.—

16 “(1) PUBLIC AVAILABILITY OF PLAN.—Not
17 later than 60 days after making a designation under
18 subsection (b), the Director shall publish and make
19 publicly available an Emerging Threat Response
20 Plan and notify the President and the appropriate
21 congressional committees of such plan’s availability.

22 “(2) TIMING.—Not less frequently than every
23 90 days after the date on which the plan is pub-
24 lished under paragraph (1), the Director shall up-
25 date the plan and report on implementation of the

1 plan, until the Director issues the public statement
2 required under subsection (b)(3) to terminate the
3 emerging threat designation.

4 “(3) CONTENTS OF AN EMERGING THREAT RE-
5 SPONSE PLAN.—The Director shall include in the
6 plan—

7 “(A) a comprehensive strategic assessment
8 of the emerging drug threat, including the cur-
9 rent status of prevention, treatment, and en-
10 forcement efforts surrounding the emerging
11 drug threat;

12 “(B) comprehensive, research-based, long-
13 range, quantifiable goals for addressing the
14 emerging drug threat;

15 “(C) performance measures pertaining to
16 the plan’s goals, including quantifiable and
17 measurable objectives and specific targets;

18 “(D) the level of funding needed to imple-
19 ment the plan, including whether funding is
20 available to be reprogrammed or transferred to
21 support implementation of the plan or whether
22 additional appropriations are necessary to im-
23 plement the plan;

24 “(E) an implementation strategy for the
25 education and public awareness campaign under

1 subsection (d), including goals as described
2 under subparagraph (B) and performance
3 measures, objectives, and targets, as described
4 under subparagraph (C); and

5 “(F) any other information necessary to
6 inform the public of the status, progress, or re-
7 sponse of an emerging drug threat.

8 “(4) IMPLEMENTATION.—

9 “(A) IN GENERAL.—Not later than 90
10 days after the date on which a designation is
11 made under subsection (b), the Director, in
12 consultation with the President, the appropriate
13 congressional committees, and the head of each
14 National Drug Control Program Agency, shall
15 issue guidance on implementation of the plan
16 described in subsection (c) to the National
17 Drug Control Program Agencies and any other
18 relevant agency determined to be necessary by
19 the Director.

20 “(B) COORDINATOR’S RESPONSIBIL-
21 ITIES.—The Coordinator shall—

22 “(i) direct the implementation of the
23 plan among the agencies identified in the
24 plan, State, local, and Tribal governments,
25 and other relevant entities;

1 “(ii) facilitate information-sharing be-
2 tween agencies identified in the plan,
3 State, local, and Tribal governments, and
4 other relevant entities; and

5 “(iii) monitor implementation of the
6 plan by coordinating the development and
7 implementation of collection and reporting
8 systems to support performance measure-
9 ment and adherence to the plan by agen-
10 cies identified in plan, where appropriate.

11 “(C) REPORTING.—Not later than 180
12 days after designation under subsection (b) and
13 in accordance with paragraph (2)(C), the head
14 of each agency identified in the plan shall sub-
15 mit to the Coordinator a report on implementa-
16 tion of the plan.

17 “(d) EDUCATION AND PUBLIC AWARENESS CAM-
18 PAIGN FOR EMERGING DRUG THREATS.—

19 “(1) IN GENERAL.—Not later than 90 days
20 after a designation under subsection (b), the Direc-
21 tor shall establish and implement an evidence-based
22 substance use prevention education and public
23 awareness campaign to inform the public about the
24 dangers of any drug designated as an emerging drug
25 threat. Such campaign shall—

1 “(A) educate the public about the dangers
2 of such drug, including patient and family edu-
3 cation about the characteristics and hazards of
4 such drugs and methods to safeguard against
5 such dangers, including the safe disposal of
6 such drugs;

7 “(B) support evidence-based prevention
8 programs targeting audiences’ attitudes, percep-
9 tions, and beliefs concerning substance use and
10 intentions to initiate or continue such use;

11 “(C) increase awareness of the negative
12 consequences of drug use;

13 “(D) encourage individuals affected by
14 substance use disorders to seek treatment and
15 provide such individuals with information on
16 how to recognize addiction issues, what forms
17 of evidence-based treatment options are avail-
18 able, and how to access such treatment; and

19 “(E) combat the stigma of addiction and
20 substance use disorders, including the stigma of
21 treating such disorders with medication-assisted
22 treatment therapies.

23 “(2) CONSULTATION.—For the planning of the
24 campaign under paragraph (1), the Secretary shall
25 consult with—

1 “(A) the head of any appropriate National
2 Drug Control Program Agency to obtain advice
3 on evidence-based scientific information for pol-
4 icy, program development, and evaluation;

5 “(B) experts in evidence-based media cam-
6 paigns, education, evaluation, and communica-
7 tion;

8 “(C) experts on the designated drug;

9 “(D) State, local, and Tribal government
10 officials and relevant agencies;

11 “(E) the public;

12 “(F) appropriate congressional committees;

13 and

14 “(G) any other affected person.

15 “(3) GIFTS AND DONATIONS.—

16 “(A) IN GENERAL.—The Director may ac-
17 cept gifts and donations (in cash or in kind, in-
18 cluding voluntary and uncompensated services
19 or property), which shall be available until ex-
20 pended, for the purpose of supporting the edu-
21 cation and outreach campaign authorized in
22 this section, including the media campaign.

23 “(B) ETHICS GUIDELINES.—The Director
24 shall establish written guidelines setting forth
25 the criteria to be used in determining whether

1 a gift or donation should be declined under this
2 section because the acceptance of the gift or do-
3 nation would—

4 “(i) reflect unfavorably upon the abil-
5 ity of the Director or the Office, or any
6 employee of the Office, to carry out re-
7 sponsibilities or official duties under this
8 chapter in a fair and objective manner; or

9 “(ii) compromise the integrity or the
10 appearance of integrity of programs or
11 services provided under this chapter or of
12 any official involved in those programs or
13 services.

14 “(C) ANNUAL REPORT REQUIRED.—Not
15 later than the first Monday in the February of
16 each year, the Director shall submit to the ap-
17 propriate congressional committees an annual
18 report that identifies the sources of any gift or
19 donation accepted by the Office or any con-
20 tractor acting on behalf of the Office, under
21 this subsection, including the value of each gift
22 and donation provided by each source of the
23 gift.

24 “(4) IMPLEMENTATION.—

1 “(A) IN GENERAL.—For any campaign es-
2 tablished under this subsection, the Director
3 shall ensure the following:

4 “(i) Implementation is evidence-based,
5 meets accepted standards for public aware-
6 ness campaigns, and uses available re-
7 sources in a manner to make the most
8 progress toward achieving the goals identi-
9 fied in the emerging threats plan and para-
10 graph (1).

11 “(ii) Information disseminated
12 through the campaign is accurate.

13 “(iii) The Director approves the strat-
14 egy of the campaign, all material distrib-
15 uted through the campaign, and the use of
16 any Federal funds used for the campaign.

17 “(iv) The campaign is designed using
18 strategies found to be most effective at
19 achieving such goals, which may include—

20 “(I) a media campaign, as de-
21 scribed in subparagraph (B);

22 “(II) local, regional, or popu-
23 lation specific messaging;

24 “(III) establishing partnerships
25 and promoting coordination among

1 community stakeholders, including
2 public, nonprofit organizations, and
3 for profit entities;

4 “(IV) providing support, train-
5 ing, and technical assistance to estab-
6 lish and expand school and commu-
7 nity prevention programs;

8 “(V) creating websites to pub-
9 licize and disseminate information;

10 “(VI) conducting outreach and
11 providing educational resources for
12 parents;

13 “(VII) establishing State or re-
14 gional advisory councils to provide
15 input and recommendations to raise
16 awareness regarding the drug des-
17 ignated as an emerging drug threat;

18 “(VIII) collaborating with law
19 enforcement; and

20 “(IX) support for school-based
21 public health education classes to im-
22 prove teen knowledge about the effects
23 of such designated drug.

1 “(B) MEDIA CAMPAIGN.—Any campaign
2 implemented under this subsection may include
3 a media component, which—

4 “(i) shall be designed to prevent the
5 use of the drug designated as an emerging
6 drug threat and to achieve the goals of
7 paragraph (1);

8 “(ii) shall be carried out through com-
9 petitively awarded contracts to entities pro-
10 viding for the professional production and
11 design of such campaign; and

12 “(iii) may include the use of tele-
13 vision, radio, Internet, social media, and
14 other commercial marketing venues and
15 may be targeted to specific age groups
16 based on peer-reviewed social research.

17 “(C) REQUIRED NOTICE FOR COMMUNICA-
18 TION FROM THE OFFICE.—Any communication,
19 including an advertisement, paid for or other-
20 wise disseminated by the Office directly or
21 through a contract awarded by the Office shall
22 include a prominent notice informing the audi-
23 ence that the communication was a paid for by
24 of the Office.

25 “(5) EVALUATION.—

1 “(A) PERFORMANCE EVALUATION.—The
2 Director shall include an evaluation of the cam-
3 paign in the annual assessment under section
4 1006, which shall include the following:

5 “(i) A performance evaluation of the
6 campaign, including progress toward meet-
7 ing the goals, objectives, measures, and
8 targets identified in the emerging threats
9 plan.

10 “(ii) A description of all policies and
11 practices to eliminate the potential for
12 waste, fraud, abuse, and to ensure Federal
13 funds are used responsibly.

14 “(iii) A list of all contracts or other
15 agreements entered into to implement the
16 campaign.

17 “(iv) The results of any financial
18 audit of the campaign.

19 “(v) A description of any evidence
20 used to develop the campaign.

21 “(B) INDEPENDENT EVALUATION.—Not
22 later than 180 days after establishing a cam-
23 paign under paragraph (1) and not less than
24 frequently than every two years thereafter, the
25 Director shall—

1 “(i) designate an independent entity
2 to evaluate the effectiveness of the cam-
3 paign with meeting the goals established in
4 the emerging threat plan and paragraph
5 (1); and

6 “(ii) submit the results of the inde-
7 pendent evaluation to the appropriate con-
8 gressional committees.

9 “(6) FUNDING PROHIBITIONS.—None of the
10 amounts made available under this subsection may
11 be obligated for any of the following:

12 “(A) To supplant current anti-drug com-
13 munity-based coalitions.

14 “(B) To supplant pro bono public service
15 time donated by national and local broadcasting
16 network for other public services campaigns.

17 “(C) For partisan political purposes, or ex-
18 press advocacy in support of or to defeat any
19 clearly identified candidate, clearly identified
20 ballot initiative, or clearly identified legislative
21 or regulatory proposal.

22 “(D) For any advocacy in support of any
23 particular company, industry association, or ad-
24 vocacy group or the explicit policy positions
25 held by such groups.

1 “(E) To direct any individuals to a specific
2 type of substance use disorder treatment, treat-
3 ment facility, medical provider, or form of medi-
4 cation assisted treatment.

5 “(F) To fund any advertising that features
6 any elected officials, persons seeking elected of-
7 fice, cabinet level officials, or other Federal offi-
8 cials employed pursuant to section 213 of
9 Schedule C of title 5, Code of Federal Regula-
10 tions.

11 “(e) AUTHORIZATION OF APPROPRIATIONS.—There
12 is authorized to be appropriated to the Office to carry out
13 this section, \$25,000,000 for each of fiscal years 2019
14 through 2023.

15 **“§ 1010. National and international coordination**

16 “(a) DISSEMINATION OF RESEARCH AND INFORMA-
17 TION TO STATES.—The Director shall ensure that drug
18 control research and information is effectively dissemi-
19 nated by National Drug Control Program Agencies to
20 State and local governments and nongovernmental entities
21 involved in demand reduction by—

22 “(1) encouraging formal consultation between
23 any such agency that conducts or sponsors research,
24 and any such agency that disseminates information

1 in developing research and information product de-
2 velopment agendas;

3 “(2) encouraging such agencies (as appropriate)
4 to develop and implement dissemination plans that
5 specifically target State and local governments and
6 nongovernmental entities involved in demand reduc-
7 tion; and

8 “(3) supporting the substance abuse informa-
9 tion clearinghouse administered by the Adminis-
10 trator of the Substance Abuse and Mental Health
11 Services Administration and established in section
12 501(d)(16) of the Public Health Service Act by—

13 “(A) encouraging all National Drug Con-
14 trol Program Agencies to provide all appro-
15 priate and relevant information; and

16 “(B) supporting the dissemination of infor-
17 mation to all interested entities.

18 “(b) STANDARDS.—

19 “(1) DEVELOPMENT.—The Director shall co-
20 ordinate the development of evidence-based stand-
21 ards developed by National Drug Control Program
22 Agencies and other relevant agencies and non-Fed-
23 eral entities to State, local, and Tribal governments
24 and nongovernmental entities related to drug control

1 policies, practices, and procedures, such as the inves-
2 tigation of drug-related deaths, by—

3 “(A) encouraging appropriate agencies and
4 State, local, and Tribal governments to develop
5 data standards for drug control practices and
6 procedures and related statistical data;

7 “(B) encouraging information sharing be-
8 tween appropriate agencies and State, local,
9 and Tribal governments of relevant drug control
10 information and data;

11 “(C) establishing a working group of agen-
12 cies, State, local, and Tribal governments, and
13 other relevant stakeholders to discuss and de-
14 velop such standards; and

15 “(D) facilitating collaboration among agen-
16 cies, non-Federal entities, States, local, and
17 Tribal governments, and nongovernmental
18 agencies.

19 “(2) IMPLEMENTATION.—The Director shall
20 promote the implementation of the standards de-
21 scribed in paragraph (1) by—

22 “(A) encouraging adoption by providing
23 the standards to State and local governments
24 through the internet, annual publications or

1 periodicals, and other widely-disseminated
2 means;

3 “(B) facilitating the use and dissemination
4 of such standards among State and local gov-
5 ernments by—

6 “(i) providing technical assistance to
7 State, local, and Tribal governments seek-
8 ing to adopt or implement such standards;
9 and

10 “(ii) coordinating seminars and train-
11 ing sessions for State, local, and Tribal
12 governments seeking to adopt or imple-
13 ment such standards.

14 “(c) PRIVATE SECTOR.—

15 “(1) IN GENERAL.—The Director or the head
16 of a National Drug Control Program (as designated
17 by the Director) shall coordinate with the private
18 sector to promote private research and development
19 of medications to treat or prevent addiction, includ-
20 ing research and development for non-addictive pain
21 management medication, abuse deterrent formula-
22 tions, medication-assisted treatment, and other ad-
23 diction research determined to be necessary by the
24 Director by—

1 “(A) encouraging the sharing of informa-
2 tion regarding evidence-based treatment addic-
3 tion findings and related data between agencies
4 and the private sector, as appropriate;

5 “(B) encouraging collaboration between
6 appropriate agencies and the private sector; and

7 “(C) providing private sector entities with
8 relevant statistical data and information to en-
9 hance research as permissible.

10 “(2) WORKING GROUP.—The Director may es-
11 tablish a working group of National Drug Control
12 Program Agencies, State, local, and Tribal govern-
13 ments, and the private sector stakeholders to discuss
14 and disseminate best practices, research and devel-
15 opment, and other related issues, as appropriate.

16 “(d) MODEL ACTS PROGRAM.—

17 “(1) IN GENERAL.—The Director shall provide
18 for or shall enter into an agreement with a nonprofit
19 organization to—

20 “(A) advise States on establishing laws
21 and policies to address illicit drug use issues;
22 and

23 “(B) revise such model State drug laws
24 and draft supplementary model State laws to

1 take into consideration changes in illicit drug
2 use issues in the State involved.

3 “(2) AUTHORIZATION OF APPROPRIATIONS.—

4 There is authorized to be appropriated to carry out
5 this subsection \$1,250,000 for each of fiscal years
6 2019 through 2023.

7 “(e) DRUG COURT TRAINING AND TECHNICAL AS-
8 SISTANCE PROGRAM.—

9 “(1) GRANTS AUTHORIZED.—The Director may
10 make a grant to a nonprofit organization for the
11 purpose of providing training and technical assist-
12 ance to drug courts.

13 “(2) AUTHORIZATION OF APPROPRIATIONS.—

14 There is authorized to be appropriated to carry out
15 this subsection \$2,000,000 for each of fiscal years
16 2019 through 2023.

17 “(f) INTERNATIONAL COORDINATION.—The Director
18 shall facilitate international drug control coordination ef-
19 forts.

20 “(g) STATE, LOCAL, AND TRIBAL AFFAIRS COORDI-

21 NATOR.—The Director shall designate or appoint a United
22 States State, Local, and Tribal Affairs Coordinator to per-
23 form the duties of the Office outlined in this section and
24 section 1005 and such other duties as may be determined
25 by the Director with respect to coordination of drug con-

1 trol efforts between agencies and State, local, and Tribal
2 governments. The Director shall determine whether the
3 coordinator position is a career or noncareer position in
4 the Senior Executive Service.

5 **“§ 1011. Interdiction**

6 “(a) UNITED STATES INTERDICTION COORDI-
7 NATOR.—

8 “(1) IN GENERAL.—The Director shall des-
9 ignate or appoint a United States Interdiction Coor-
10 dinator to perform the duties of that position de-
11 scribed in paragraph (2) and such other duties as
12 may be determined by the Director with respect to
13 coordination of efforts to interdict illicit drugs from
14 entering the United States.

15 “(2) RESPONSIBILITIES.—The United States
16 Interdiction Coordinator shall be responsible to the
17 Director for—

18 “(A) coordinating the interdiction activities
19 of the National Drug Control Program Agen-
20 cies to ensure consistency with the National
21 Drug Control Strategy;

22 “(B) on behalf of the Director, developing
23 and issuing, on or before March 1 of each year
24 and in accordance with paragraph (4), a Na-
25 tional Interdiction Command and Control Plan

1 to ensure the coordination and consistency de-
2 scribed in subparagraph (A);

3 “(C) assessing the sufficiency of assets
4 committed to illicit drug interdiction by the rel-
5 evant National Drug Control Program Agen-
6 cies; and

7 “(D) advising the Director on the efforts
8 of each National Drug Control Program Agency
9 to implement the National Interdiction Com-
10 mand and Control Plan.

11 “(3) STAFF.—The Director shall assign such
12 permanent staff of the Office as he considers appro-
13 priate to assist the United States Interdiction Coor-
14 dinator to carry out the responsibilities described in
15 paragraph (2), and may request that appropriate
16 National Drug Control Program Agencies detail or
17 assign staff to assist in carrying out such activities.

18 “(4) NATIONAL INTERDICTION COMMAND AND
19 CONTROL PLAN.—

20 “(A) PURPOSES.—The National Interdic-
21 tion Command and Control Plan—

22 “(i) shall set forth the Government’s
23 strategy for drug interdiction;

24 “(ii) shall state the specific roles and
25 responsibilities of the relevant National

1 Drug Control Program Agencies for imple-
2 menting that strategy;

3 “(iii) shall identify the specific re-
4 sources required to enable the relevant Na-
5 tional Drug Control Program Agencies to
6 implement that strategy; and

7 “(iv) may include recommendations
8 about changes to existing agency authori-
9 ties or laws governing interagency relation-
10 ships.

11 “(B) CONSULTATION WITH OTHER AGEN-
12 CIES.—Before the submission of the National
13 Drug Control Strategy or annual supplement
14 required under section 1005(d), as applicable,
15 the United States Interdiction Coordinator shall
16 issue the National Interdiction Command and
17 Control Plan, in consultation with the other
18 members of the Interdiction Committee de-
19 scribed in subsection (c).

20 “(C) REPORT TO CONGRESS.—On or be-
21 fore March 1 of each year, the Director,
22 through the United States Interdiction Coordi-
23 nator, shall provide to the appropriate congres-
24 sional committees, to the Committee on Armed
25 Services and the Committee on Homeland Secu-

1 rity of the House of Representatives, and to the
2 Committee on Homeland Security and Govern-
3 mental Affairs and the Committee on Armed
4 Services of the Senate, a report that includes—

5 “(i) a copy of that year’s National
6 Interdiction Command and Control Plan;

7 “(ii) information for the previous 10
8 years regarding the number and type of
9 seizures of drugs by each National Drug
10 Control Program Agency conducting drug
11 interdiction activities and statistical infor-
12 mation on the geographic areas of such
13 seizures; and

14 “(iii) information for the previous 10
15 years regarding the number of air and
16 maritime patrol hours undertaken by each
17 National Drug Control Program Agency
18 conducting drug interdiction activities and
19 statistical information on the geographic
20 areas in which such patrol hours took
21 place.

22 “(D) CLASSIFIED ANNEX.—The report
23 submitted pursuant to subparagraph (C) may
24 include a classified annex.

25 “(b) INTERDICTION COMMITTEE.—

1 “(1) IN GENERAL.—The Interdiction Com-
2 mittee shall meet to—

3 “(A) discuss and resolve issues related to
4 the coordination, oversight, and integration of
5 international, border, and domestic drug inter-
6 diction efforts in support of the National Drug
7 Control Strategy;

8 “(B) review the annual National Interdic-
9 tion Command and Control Plan, and provide
10 advice to the Director and the United States
11 Interdiction Coordinator concerning that plan;
12 and

13 “(C) provide such other advice to the Di-
14 rector concerning drug interdiction strategy and
15 policies as the committee determines is appro-
16 priate.

17 “(2) CHAIR.—The Director shall designate one
18 of the members of the Interdiction Committee to
19 serve as chair.

20 “(3) MEETINGS.—The members of the Interdic-
21 tion Committee shall meet, in person and not
22 through any delegate or representative, at least once
23 per calendar year, before March 1. At the call of the
24 Director or the chair, the Interdiction Committee
25 may hold additional meetings, which shall be at-

1 tended by the members in person, or through such
2 delegates or representatives as the members may
3 choose.

4 “(4) REPORT.—Not later than September 30 of
5 each year, the chair of the Interdiction Committee
6 shall submit to the Director and to the appropriate
7 congressional committees a report describing the re-
8 sults of the meetings and any significant findings of
9 the committee during the previous 12 months. Such
10 report may include a classified annex.

11 **“§ 1012. Treatment coordinator**

12 “(a) UNITED STATES TREATMENT COORDINATOR.—

13 “(1) IN GENERAL.—The Director shall des-
14 ignate or appoint a United States Treatment Coordi-
15 nator to perform the responsibilities of that position
16 described in paragraph (2) and such other duties as
17 may be determined by the Director with respect to
18 coordination of efforts to expand the availability of
19 substance use disorder treatment with the goal of
20 eliminating the unmet treatment need.

21 “(2) RESPONSIBILITIES.—The United States
22 Treatment Coordinator shall be responsible to the
23 Director for—

24 “(A) coordinating the activities of the Na-
25 tional Drug Control Program Agencies under-

1 taken to expand the availability of evidence-
2 based substance use disorder treatment to en-
3 sure consistency with the National Drug Con-
4 trol Strategy;

5 “(B) on behalf of the Director, developing
6 and issuing, on or before March 1 of each year
7 and in accordance with paragraph (4), a Na-
8 tional Treatment Plan to ensure the coordina-
9 tion and consistency described in subparagraph
10 (A);

11 “(C) assessing the sufficiency of Federal
12 resources directed to substance use disorder
13 treatment by the relevant National Drug Con-
14 trol Program Agencies;

15 “(D) encouraging the adoption by sub-
16 stance use disorder treatment providers of evi-
17 dence-based standards to guide all aspects of
18 treatment provided; and

19 “(E) advising the Director on the efforts
20 of each National Drug Control Program Agency
21 to implement the National Treatment Plan.

22 “(3) STAFF.—The Director shall assign such
23 permanent staff of the Office of the United States
24 Treatment Coordinator as the Director determines
25 to be appropriate to assist the United States Treat-

1 ment Coordinator to carry out the responsibilities
2 described in paragraph (2), and may request that
3 appropriate National Drug Control Program Agen-
4 cies detail or assign staff to assist in carrying out
5 such responsibilities.

6 “(4) NATIONAL TREATMENT PLAN.—

7 “(A) PURPOSES.—The National Treatment
8 Plan—

9 “(i) shall identify the unmet need for
10 treatment for evidence-based substance use
11 disorders including opioid use disorders,
12 and set forth the Government’s strategy
13 for closing the gap between available and
14 needed treatment;

15 “(ii) shall describe the specific roles
16 and responsibilities of the relevant Na-
17 tional Drug Control Program Agencies for
18 implementing that strategy;

19 “(iii) shall identify the specific re-
20 sources required to enable the relevant Na-
21 tional Drug Control Program Agencies to
22 implement that strategy;

23 “(iv) shall identify the resources, in-
24 cluding private sources, required to elimi-

1 nate the unmet need for evidence-based
2 substance use disorder treatment; and

3 “(v) may include recommendations
4 about changes to existing agency authori-
5 ties or laws governing interagency relation-
6 ships.

7 “(B) CONSULTATION WITH OTHER AGEN-
8 CIES.—Before the submission of the National
9 Treatment Strategy or annual supplement re-
10 quired under section 1005(d), as applicable, the
11 United States Treatment Coordinator shall
12 issue the National Treatment Plan, in consulta-
13 tion with the other members of the Interdiction
14 Committee described in subsection (b).

15 “(C) REPORT TO CONGRESS.—On or be-
16 fore March 1 of each year, the Director,
17 through the United States Treatment Coordi-
18 nator, shall provide to the appropriate congres-
19 sional committees a report that includes a copy
20 of that year’s National Treatment Plan;

21 “(b) TREATMENT COMMITTEE.—

22 “(1) IN GENERAL.—The Treatment Committee
23 shall meet to—

1 “(A) review and discuss the adequacy of
2 evidence-based substance use disorder treat-
3 ment as well as the unmet need for treatment;

4 “(B) review and discuss the status of the
5 implementation of the National Treatment
6 Plan; and

7 “(C) provide such other advice to the Di-
8 rector concerning substance use disorder treat-
9 ment initiatives as the committee determines is
10 appropriate.

11 “(2) CHAIR.—The Director shall designate one
12 of the members of the Treatment Committee to
13 serve as chair.

14 “(3) MEETINGS.—The members of the Treat-
15 ment Committee shall meet, in person and not
16 through any delegate or representative, at least once
17 per calendar year, before March 1. At the call of the
18 Director or the chair, the Treatment Committee may
19 hold additional meetings, which shall be attended by
20 the members in person, or through such delegates or
21 representatives as the members may choose.

22 “(4) REPORT.—Not later than September 30 of
23 each year, the chair of the Treatment Committee
24 shall submit to the Director and to the appropriate
25 congressional committees a report describing the re-

1 sults of the meetings and any significant findings of
2 the committee during the previous 12 months. Such
3 report may include a classified annex.

4 **“§ 1013. Critical information coordination**

5 “(a) NATIONAL DRUG CONTROL FUSION CENTER.—

6 “(1) ESTABLISHMENT.—The Director shall, in
7 consultation with the head of each National Drug
8 Control Program Agency, designate an agency to es-
9 tablish a National Drug Control Fusion Center (re-
10 ferred to in this section as the ‘Center’). The Center
11 shall operate under the authority of the Director and
12 shall work with the National Drug Control Program
13 Agencies to collect, compile, analyze, and facilitate
14 the sharing of data on the use of illicit drugs, treat-
15 ment for substance use disorder, and interdiction of
16 illicit drugs. The Center shall be considered a ‘statis-
17 tical agency or unit’, as that term is defined in sec-
18 tion 502 of the Confidential Information Protection
19 and Statistical Efficiency Act of 2002 (44 U.S.C.
20 3501 note) and shall have the necessary independ-
21 ence to ensure any data or information acquired by
22 an agency under a pledge of confidentiality and for
23 exclusively statistical purposes is used exclusively for
24 statistical purposes.

1 “(2) CENTER DIRECTOR.—There shall be at the
2 head of the Center a Center Director who shall be
3 appointed by the Director from among individuals
4 qualified and distinguished in data governance and
5 statistical analysis.

6 “(3) DATA COMPILATION.—The Director, act-
7 ing through the Center Director, shall do the fol-
8 lowing:

9 “(A) Coordinate data collection activities
10 among the National Drug Control Program
11 Agencies.

12 “(B) Collect information not otherwise col-
13 lected by National Drug Control Program
14 Agencies as necessary to inform the National
15 Drug Control Strategy.

16 “(C) Compile and analyze any data re-
17 quired to be collected under this chapter.

18 “(D) Disseminate technology, as appro-
19 priate, to States and local jurisdictions to en-
20 able or improve the collection of data on drug
21 use, including the recordation of the occurrence
22 of fatal and non-fatal drug overdoses.

23 “(E) Compile information collected by Na-
24 tional Drug Control Program Agencies on
25 grants issued through any National Drug Con-

1 trol Program, including for any grant the fol-
2 lowing:

3 “(i) The recipient.

4 “(ii) The amount.

5 “(iii) The intended purpose.

6 “(iv) Any evidence of the efficacy of
7 the outcomes achieved by the program
8 funded through the grant.

9 “(v) Any assessments of how the
10 grant met its intended purpose.

11 “(4) TOXICOLOGY SCREENING.—

12 “(A) ESTABLISHMENT.—The Center Di-
13 rector may establish a toxicology screening pro-
14 gram that engages in—

15 “(i) secondary analysis of urine sam-
16 ples that would otherwise be discarded
17 by—

18 “(I) hospitals and drug treat-
19 ment programs;

20 “(II) correctional facilities, book-
21 ing sites, probation programs, drug
22 courts, and related facilities; and

23 “(III) coroners and medical ex-
24 aminers; and

1 “(ii) analysis of other physical sam-
2 ples, as determined by the Center Director
3 to be valuable for understanding the preva-
4 lence of any illicit drug.

5 “(B) DE-IDENTIFICATION OF INFORMA-
6 TION.—The Center Director shall ensure that
7 no samples have any personally identifiable in-
8 formation prior to collection.

9 “(C) LIMITATION ON USE.—No data ob-
10 tained from analysis conducted under this para-
11 graph may be used as evidence in any pro-
12 ceeding.

13 “(D) STATE PROGRAM.—The Center Di-
14 rector may establish a program that enables
15 States and local jurisdictions to submit up to
16 20 urine samples per year for toxicology anal-
17 ysis for the purposes of identifying substances
18 present in individuals who have suffered fatal
19 drug overdoses.

20 “(5) AUTHORITY TO CONTRACT.—The Director
21 may award contracts, enter into interagency agree-
22 ments, manage individual projects, and conduct
23 other operational activities under this subsection.

24 “(b) CRITICAL DRUG CONTROL INFORMATION AND
25 EVIDENCE PLAN.—

1 “(1) IN GENERAL.—Not later than the first
2 Monday in February of each year, the Director shall
3 submit to Congress a systematic plan for increasing
4 data collection to enable real-time surveillance of
5 drug control threats, developing analysis and moni-
6 toring capabilities, and identifying and addressing
7 policy questions relevant to the National Drug Con-
8 trol Policy, Strategy, and Program. Such plan shall
9 be made available on the public online portal of the
10 Office, shall cover at least a 4-year period beginning
11 with the first fiscal year following the fiscal year in
12 which the plan is submitted and published, and con-
13 tain the following:

14 “(A) A list of policy-relevant questions for
15 which the Director and each National Drug
16 Control Program Agency intends to develop evi-
17 dence to support the National Drug Control
18 Program and Strategy.

19 “(B) A list of data the Director and each
20 National Drug Control Program Agency intends
21 to collect, use, or acquire to facilitate the use of
22 evidence in drug control policymaking and moni-
23 toring.

24 “(C) A list of methods and analytical ap-
25 proaches that may be used to develop evidence

1 to support the National Drug Control Program
2 and Strategy and related policy.

3 “(D) A list of any challenges to developing
4 evidence to support policymaking, including any
5 barriers to accessing, collecting, or using rel-
6 evant data.

7 “(E) A description of the steps the Direc-
8 tor and the head of each National Drug Control
9 Program Agency will take to effectuate the
10 plan.

11 “(F) Any other relevant information as de-
12 termined by the Director.

13 “(2) CONSULTATION.—In developing the plan
14 required under paragraph (1), the Director shall
15 consult with the following:

16 “(A) The public.

17 “(B) Any evaluation or analysis units and
18 personnel of the Office.

19 “(C) Office officials responsible for imple-
20 menting privacy policy.

21 “(D) Office officials responsible for data
22 governance.

23 “(E) The appropriate congressional com-
24 mittees.

1 “(F) Any other individual or entity as de-
2 termined by the Director.

3 “(c) EVIDENCE-BASED POLICY.—

4 “(1) HARM REDUCTION PROGRAMS.—When de-
5 veloping the national drug control policy, any policy
6 of the Director, including policies relating to syringe
7 exchange programs for intravenous drug users, shall
8 be based on the best available medical and scientific
9 evidence regarding the effectiveness of such policy in
10 promoting individual health, preventing the spread
11 of infectious disease and the impact of such policy
12 on drug addiction and use. In making any policy re-
13 lating to harm reduction programs, the Director
14 shall consult with the National Institutes of Health
15 and the National Academy of Sciences.

16 “(2) FUND RESTRICTION FOR THE LEGALIZA-
17 TION OF CONTROLLED SUBSTANCES.—The Director
18 shall ensure that no Federal funds appropriated to
19 the Office shall be expended for any study or con-
20 tract relating to the legalization (for a medical use
21 or any other use) for which a listing in schedule I
22 is in effect under section 202 of the Controlled Sub-
23 stances Act (21 U.S.C. 812).

24 “(d) DRUG CONTROL DATA DASHBOARD.—

1 “(1) ESTABLISHMENT.—The Director, in con-
2 sultation with the Center Director, shall establish
3 and maintain a data dashboard on the online portal
4 of the Office to be known as the ‘Drug Control Data
5 Dashboard’. The Director shall ensure the user
6 interface of the dashboard is constructed with mod-
7 ern design standards. To the extent practicable, the
8 data made available on the dashboard shall be pub-
9 licly available in a machine-readable format and
10 searchable by year, agency, drug, and location.

11 “(2) DATA.—The data included in the Drug
12 Control Data Dashboard shall be updated not less
13 frequently than quarterly and shall include, at a
14 minimum, the following:

15 “(A) For each substance identified under
16 section 1005(e)(1)(A)(i)—

17 “(i) the total amount seized and dis-
18 rupted in the calendar year and each of
19 the previous 3 calendar years;

20 “(ii) the known and estimated flows
21 into the United States from all sources in
22 the calendar year and each of the previous
23 3 calendar years;

24 “(iii) the total amount of known flows
25 that could not be interdicted or disrupted

1 in the calendar year and each of the pre-
2 vious 3 calendar years;

3 “(iv) the known and estimated levels
4 of domestic production in the calendar year
5 and each of the previous three calendar
6 years, including the levels of domestic pro-
7 duction if the drug is a prescription drug,
8 as determined under the Federal Food,
9 Drug, and Cosmetic Act, for which a list-
10 ing is in effect under section 202 of the
11 Controlled Substances Act (21 U.S.C.
12 812); and

13 “(v) the average street price for the
14 calendar year and the highest known street
15 price during the preceding 10-year period.

16 “(B) For the calendar year and each of the
17 previous three years data sufficient to show,
18 disaggregated by State and, to the extent fea-
19 sible, by region within a State, county, or city,
20 the following:

21 “(i) The number of fatal and non-
22 fatal overdoses caused by each drug identi-
23 fied under subparagraph (A)(i).

24 “(ii) The prevalence of substance use
25 disorders.

1 “(iii) The number of individuals who
2 have received substance use disorder treat-
3 ment, including medication assisted treat-
4 ment, for a substance use disorder, includ-
5 ing treatment provided through publicly-fi-
6 nanced health care programs.

7 “(iv) The extent of the unmet need
8 for substance use disorder treatment, in-
9 cluding the unmet need for medication-as-
10 sisted treatment.

11 “(C) Data sufficient to show the extent of
12 prescription drug diversion, trafficking, and
13 misuse in the calendar year and each of the
14 previous 3 calendar years.

15 “(D) Any quantifiable measures the Direc-
16 tor determines to be appropriate to detail
17 progress toward the achievement of the goals of
18 the National Drug Control Strategy.

19 “(e) ACCESS TO INFORMATION.—

20 “(1) IN GENERAL.—Upon the request of the
21 Director, the head of any National Drug Control
22 Program Agency shall cooperate with and provide to
23 the Director any statistics, studies, reports, and
24 other information prepared or collected by the agen-
25 cy concerning the responsibilities of the agency

1 under the National Drug Control Strategy that re-
2 late to—

3 “(A) drug control; or

4 “(B) the manner in which amounts made
5 available to that agency for drug control are
6 being used by that agency.

7 “(2) PROTECTION OF INTELLIGENCE INFORMA-
8 TION.—

9 “(A) IN GENERAL.—The authorities con-
10 ferred on the Office and the Director by this
11 chapter shall be exercised in a manner con-
12 sistent with provisions of the National Security
13 Act of 1947 (50 U.S.C. 401 et seq.). The Di-
14 rector of National Intelligence shall prescribe
15 such regulations as may be necessary to protect
16 information provided pursuant to this chapter
17 regarding intelligence sources and methods.

18 “(B) DUTIES OF DIRECTOR.—The Director
19 of National Intelligence and the Director of the
20 Central Intelligence Agency shall, to the max-
21 imum extent practicable in accordance with
22 subparagraph (A), render full assistance and
23 support to the Office and the Director.

24 “(3) REQUIRED REPORTS FROM NATIONAL
25 DRUG CONTROL AGENCIES.—The head of each Na-

1 tional Drug Control Program Agency shall submit to
2 the Director such information and reports as re-
3 quested from such National Drug Control Program
4 Agency by the Director, which shall include from the
5 appropriate National Drug Control Program Agen-
6 cies:

7 “(A) Not later than July 1 of each year,
8 the head of a designated National Drug Control
9 Program Agency shall submit to the Director
10 and the appropriate congressional committees
11 an assessment of the quantity of illegal drug
12 cultivation and manufacturing in the United
13 States on lands owned or under the jurisdiction
14 of their respective agencies that was seized or
15 eradicated by their personnel during the pre-
16 ceding calendar year.

17 “(B) Not later than July 1 of each year,
18 the head of a designated National Drug Control
19 Program Agency shall submit to the Director
20 and the appropriate congressional committees
21 information for the preceding year regarding—

22 “(i) the number and type of seizures
23 of drugs by each component of the agency
24 seizing drugs, as well as statistical infor-

1 mation on the geographic areas of such
2 seizures; and

3 “(ii) the number of air and maritime
4 patrol hours primarily dedicated to drug
5 supply reduction missions undertaken by
6 each component of the agency.

7 “(C) Not later than July 1 of each year,
8 the head of a designated National Drug Control
9 Program Agency shall submit to the Director
10 and the appropriate congressional committees
11 information for the preceding year regarding
12 the number of air and maritime patrol hours
13 primarily dedicated to drug supply reduction
14 missions undertaken by each component of the
15 agency.

16 “(D) Not later than July 1 of each year,
17 the head of a designated National Drug Control
18 Program Agency shall submit to the Director
19 and the appropriate congressional committees
20 information for the preceding year regarding
21 the number and type of—

22 “(i) arrests for drug violations;

23 “(ii) prosecutions for drug violations
24 by United States Attorneys; and

1 “(iii) seizures of drugs by each com-
2 ponent of the Department of Justice seiz-
3 ing drugs, as well as statistical information
4 on the geographic areas of such seizures.

5 “(f) DATA EXCHANGE STANDARDS FOR IMPROVED
6 INTEROPERABILITY.—

7 “(1) INTERAGENCY AND INTERGOVERNMENTAL
8 DESIGNATION AND USE OF DATA EXCHANGE STAND-
9 ARDS WORKING GROUP.—The Director shall estab-
10 lish a working group of National Drug Control Pro-
11 gram Agencies, State, local and Tribal government
12 health and law enforcement agencies, and data gov-
13 ernance experts to develop consensus data exchange
14 standards for necessary categories of information
15 that allow effective electronic exchange of informa-
16 tion between States, between State agencies, be-
17 tween States and National Drug Control Program
18 Agencies, and any other drug control relevant data
19 exchange.

20 “(2) DATA EXCHANGE STANDARDS MUST BE
21 NONPROPRIETARY AND INTEROPERABLE.—The data
22 exchange standards designated under paragraph (1)
23 shall, to the extent practicable, be nonproprietary
24 and interoperable.

1 “(3) OTHER REQUIREMENTS.—In designating
2 data exchange standards under this subsection, the
3 working group shall, to the extent practicable, incor-
4 porate—

5 “(A) interoperable standards developed
6 and maintained by an international voluntary
7 consensus standards body, as defined by the Of-
8 fice of Management and Budget;

9 “(B) interoperable standards developed
10 and maintained by intergovernmental partner-
11 ships; and

12 “(C) interoperable standards developed
13 and maintained by Federal entities with author-
14 ity over contracting and financial assistance.

15 “(4) DATA EXCHANGE STANDARDS FOR FED-
16 ERAL REPORTING.—

17 “(A) DESIGNATION.—The Director may, in
18 consultation with the working group established
19 under this section, National Drug Control Pro-
20 gram Agencies, and State, local, and Tribal
21 governments, designate data exchange stand-
22 ards to govern Federal reporting and exchange
23 requirements for National Drug Control Pro-
24 grams, as appropriate.

1 “(B) REQUIREMENTS.—The data exchange
2 reporting standards required by subparagraph
3 (A) shall, to the extent practicable—

4 “(i) incorporate a widely accepted,
5 nonproprietary, searchable, machine-read-
6 able format;

7 “(ii) be consistent with and implement
8 applicable accounting principles;

9 “(iii) be implemented in a manner
10 that is cost-effective and improves program
11 efficiency and effectiveness; and

12 “(iv) be capable of being continually
13 upgraded as necessary.

14 “(C) INCORPORATION OF NONPROPRI-
15 ETARY STANDARDS.—In designating data ex-
16 change standards under this paragraph, the Di-
17 rector shall, to the extent practicable, incor-
18 porate existing nonproprietary standards.

19 “(D) RULE OF CONSTRUCTION.—Nothing
20 in this paragraph shall be construed to require
21 a change to existing data exchange standards
22 for Federal reporting about a program referred
23 to in this section, if the head of the agency re-
24 sponsible for administering the program finds
25 the standards to be effective and efficient.

1 “(5) TERMINATION.—The working group estab-
2 lished under paragraph (1) shall terminate not ear-
3 lier than 60 days after the public notification of ter-
4 mination by the Director.

5 “(g) ANNUAL DATA COLLECTION AND DISSEMINA-
6 TION REQUIREMENTS.—

7 “(1) IN GENERAL.—The Director shall collect
8 and disseminate, as appropriate, such information as
9 the Director determines is appropriate, but not less
10 than the information described in this subsection. To
11 the extent practicable, the data shall be publicly
12 available in a machine-readable format on the Drug
13 Control Data Dashboard, be searchable by year,
14 agency, drug, and location, and cover not less than
15 the previous 10-year period.

16 “(2) PREPARATION AND DISSEMINATION OF IN-
17 FORMATION.—The Director shall prepare and dis-
18 seminate the following:

19 “(A) An assessment of current illicit drug
20 use (including inhalants and steroids) and avail-
21 ability, impact of illicit drug use, and treatment
22 availability, which assessment shall include—

23 “(i) estimates of drug prevalence and
24 frequency of use as measured by national,
25 State, and local surveys of illicit drug use

1 and by other special studies of non-
2 dependent and dependent illicit drug use;

3 “(ii) illicit drug use in the workplace
4 and the productivity lost by such use; and

5 “(iii) illicit drug use by arrestees, pro-
6 bationers, and parolees.

7 “(B) An assessment of the reduction of il-
8 licit drug availability, for each drug identified
9 under section 1005(c)(1)(A)(i), as measured
10 by—

11 “(i) the quantities of such drug avail-
12 able for consumption in the United States;

13 “(ii) the amount of such drug enter-
14 ing the United States;

15 “(iii) the number of illicit drug manu-
16 facturing laboratories seized and destroyed
17 of each relevant drug and the number of
18 hectares cultivated and destroyed domesti-
19 cally and in other countries of each rel-
20 evant drug;

21 “(iv) the number of metric tons of
22 such drug seized; and

23 “(v) changes in the price and purity
24 of such drug.

1 “(C) An assessment of the reduction of the
2 consequences of illicit drug use and availability,
3 which shall include—

4 “(i) the cost of treating substance use
5 disorder in the United States, such as the
6 quantity of illicit drug-related services pro-
7 vided;

8 “(ii) the annual national health care
9 cost of illicit drug use; and

10 “(iii) the extent of illicit drug-related
11 crime and criminal activity.

12 “(D) A determination of the status of drug
13 treatment in the United States, by assessing—

14 “(i) public and private treatment utili-
15 zation; and

16 “(ii) the number of illicit drug users
17 the Director estimates meet diagnostic cri-
18 teria for treatment.

19 “(E) A summary of the efforts made to co-
20 ordinate with private sector entities to conduct
21 private research and development of medica-
22 tions to treat addiction by—

23 “(i) screening chemicals for potential
24 therapeutic value;

25 “(ii) developing promising compounds;

1 “(iii) conducting clinical trials;

2 “(iv) seeking Food and Drug Admin-
3 istration approval for drugs to treat addic-
4 tion;

5 “(v) marketing the drug for the treat-
6 ment of addiction;

7 “(vi) urging physicians to use the
8 drug in the treatment of addiction; and

9 “(vii) encouraging insurance compa-
10 nies to reimburse the cost of the drug for
11 the treatment of addiction.

12 **“§ 1014. Authorization of appropriations**

13 “There are authorized to be appropriated to carry out
14 this chapter, except as otherwise specified, to remain avail-
15 able until expended, \$18,400,000 for each of fiscal years
16 2019 through 2023.

17 “SUBCHAPTER II—HIGH INTENSITY DRUG
18 TRAFFICKING AREAS PROGRAM

19 **“§ 1021. High intensity drug trafficking areas pro-
20 gram**

21 “(a) ESTABLISHMENT.—

22 “(1) IN GENERAL.—There is established in the
23 Office a program to be known as the High Intensity
24 Drug Trafficking Areas Program (in this section re-
25 ferred to as the ‘Program’).

1 “(2) PURPOSE.—The purpose of the Program
2 is to reduce drug trafficking and drug production in
3 the United States by—

4 “(A) facilitating cooperation among Fed-
5 eral, State, local, and Tribal law enforcement
6 agencies to share information and implement
7 coordinated enforcement activities;

8 “(B) enhancing law enforcement intel-
9 ligence sharing among Federal, State, local, and
10 Tribal law enforcement agencies;

11 “(C) providing reliable law enforcement in-
12 telligence to law enforcement agencies needed to
13 design effective enforcement strategies and op-
14 erations; and

15 “(D) supporting coordinated law enforce-
16 ment strategies which maximize use of available
17 resources to reduce the supply of illegal drugs
18 in designated areas and in the United States as
19 a whole.

20 “(b) DESIGNATION.—

21 “(1) IN GENERAL.—The Director, in consulta-
22 tion with the Attorney General, the Secretary of the
23 Treasury, the Secretary of Homeland Security,
24 heads of the National Drug Control Program Agen-
25 cies, and the Governor of each applicable State, may

1 designate any specified area of the United States as
2 a high intensity drug trafficking area.

3 “(2) ACTIVITIES.—After making a designation
4 under paragraph (1) and in order to provide Federal
5 assistance to the area so designated, the Director
6 may—

7 “(A) obligate such sums as are appro-
8 priated for the Program;

9 “(B) direct the temporary reassignment of
10 Federal personnel to such area, subject to the
11 approval of the head of the agency that employs
12 such personnel;

13 “(C) take any other action authorized
14 under this chapter to provide increased Federal
15 assistance to those areas; and

16 “(D) coordinate activities under this sec-
17 tion (specifically administrative, recordkeeping,
18 and funds management activities) with State,
19 local, and Tribal officials.

20 “(c) PETITIONS FOR DESIGNATION.—The Director
21 shall establish and maintain regulations under which a co-
22 alition of interested law enforcement agencies from an
23 area may petition for designation as a high intensity drug
24 trafficking area (in this section referred to as the
25 ‘HIDTA’). Such regulations shall provide for a regular re-

1 view by the Director of the petition, including a rec-
2 ommendation regarding the merit of the petition to the
3 Director by a panel of qualified, independent experts.

4 “(d) FACTORS FOR CONSIDERATION.—In considering
5 whether to designate an area under this section as a high
6 intensity drug trafficking area, the Director shall consider,
7 in addition to such other criteria as the Director considers
8 to be appropriate, the extent to which—

9 “(1) the area is a significant center of illegal
10 drug production, manufacturing, importation, or dis-
11 tribution;

12 “(2) State, local, and Tribal law enforcement
13 agencies have committed resources to respond to the
14 drug trafficking problem in the area, thereby indi-
15 cating a determination to respond aggressively to the
16 problem;

17 “(3) drug-related activities in the area are hav-
18 ing a significant harmful impact in the area, and in
19 other areas of the country; and

20 “(4) a significant increase in allocation of Fed-
21 eral resources is necessary to respond adequately to
22 drug-related activities in the area.

23 “(e) ORGANIZATION OF HIGH INTENSITY DRUG
24 TRAFFICKING AREAS.—

1 “(1) EXECUTIVE BOARD AND OFFICERS.—To
2 be eligible for funds appropriated under this section,
3 each high intensity drug trafficking area shall be
4 governed by an Executive Board. The Executive
5 Board shall designate a chairman, vice chairman,
6 and any other officers to the Executive Board that
7 it determines are necessary.

8 “(2) RESPONSIBILITIES.—The Executive Board
9 of a high intensity drug trafficking area shall be re-
10 sponsible for—

11 “(A) providing direction and oversight in
12 establishing and achieving the goals of the high
13 intensity drug trafficking area;

14 “(B) managing the funds of the high in-
15 tensity drug trafficking area;

16 “(C) reviewing and approving all funding
17 proposals consistent with the overall objective of
18 the high intensity drug trafficking area; and

19 “(D) reviewing and approving all reports
20 to the Director on the activities of the high in-
21 tensity drug trafficking area.

22 “(3) BOARD REPRESENTATION.—None of the
23 funds appropriated under this section may be ex-
24 pended for any high intensity drug trafficking area,
25 or for a partnership or region of a high intensity

1 drug trafficking area, if the Executive Board for
2 such area, region, or partnership, does not apportion
3 an equal number of votes between representatives of
4 participating agencies and representatives of partici-
5 pating State, local, and Tribal agencies. Where it is
6 impractical for an equal number of representatives
7 of agencies and State, local, and Tribal agencies to
8 attend a meeting of an Executive Board in person,
9 the Executive Board may use a system of proxy
10 votes or weighted votes to achieve the voting balance
11 required by this paragraph.

12 “(4) NO AGENCY RELATIONSHIP.—The eligi-
13 bility requirements of this section are intended to
14 ensure the responsible use of Federal funds. Nothing
15 in this section is intended to create an agency rela-
16 tionship between individual high intensity drug traf-
17 ficking areas and the Federal Government.

18 “(f) USE OF FUNDS.—The Director shall ensure that
19 not more than 5 percent of Federal funds appropriated
20 for the Program are expended for drug treatment pro-
21 grams and not more than 5 percent of the Federal funds
22 appropriated for the Program are expended for drug pre-
23 vention programs.

24 “(g) COUNTERTERRORISM ACTIVITIES.—

1 “(1) ASSISTANCE AUTHORIZED.—The Director
2 may authorize use of resources available for the Pro-
3 gram to assist Federal, State, local, and Tribal law
4 enforcement agencies in investigations and activities
5 related to terrorism and prevention of terrorism, es-
6 pecially but not exclusively with respect to such in-
7 vestigations and activities that are also related to
8 drug trafficking.

9 “(2) LIMITATION.—The Director shall ensure—

10 “(A) that assistance provided under para-
11 graph (1) remains incidental to the purpose of
12 the Program to reduce drug availability and
13 carry out drug-related law enforcement activi-
14 ties; and

15 “(B) that significant resources of the Pro-
16 gram are not redirected to activities exclusively
17 related to terrorism, except on a temporary
18 basis under extraordinary circumstances, as de-
19 termined by the Director.

20 “(h) ROLE OF DRUG ENFORCEMENT ADMINISTRA-
21 TION.—The Director, in consultation with the Attorney
22 General, shall ensure that a representative of the Drug
23 Enforcement Administration is included in the Intelligence
24 Support Center for each high intensity drug trafficking
25 area.

1 “(i) EMERGING THREAT RESPONSE FUND.—

2 “(1) IN GENERAL.—Subject to the availability
3 of appropriations, the Director may expend up to 10
4 percent of the amounts appropriated under this sec-
5 tion on a discretionary basis, in accordance with the
6 criteria established under paragraph (2)—

7 “(A) to respond to any emerging drug traf-
8 ficking threat in an existing high intensity drug
9 trafficking area;

10 “(B) to establish a new high intensity drug
11 trafficking area; or

12 “(C) to expand an existing high intensity
13 drug trafficking area.

14 “(2) CONSIDERATION OF IMPACT.—In allo-
15 cating funds under this subsection, the Director
16 shall consider—

17 “(A) the impact of activities funded on re-
18 ducing overall drug traffic in the United States,
19 or minimizing the probability that an emerging
20 drug trafficking threat will spread to other
21 areas of the United States; and

22 “(B) such other criteria as the Director
23 considers appropriate.

24 “(j) ANNUAL HIDTA PROGRAM BUDGET SUBMIS-
25 SIONS.—As part of the documentation that supports the

1 President’s annual budget request for the Office, the Di-
2 rector shall submit to Congress a budget justification that
3 includes—

4 “(1) the amount proposed for each HIDTA,
5 conditional upon a review by the Office of the re-
6 quest submitted by such HIDTA and the perform-
7 ance of such HIDTA, with supporting narrative de-
8 scriptions and rationale for each request;

9 “(2) a detailed justification that explains—

10 “(A) the reasons for the proposed funding
11 level and how such funding level was deter-
12 mined based on a current assessment of the
13 drug trafficking threat in each high intensity
14 drug trafficking area;

15 “(B) how such funding will ensure that the
16 goals and objectives of each such area will be
17 achieved; and

18 “(C) how such funding supports the Na-
19 tional Drug Control Strategy; and

20 “(3) the amount of HIDTA funds used to in-
21 vestigate and prosecute organizations and individ-
22 uals trafficking in each major illicit drug, as identi-
23 fied by the Director, in the prior calendar year, and
24 a description of how those funds were used.

1 “(k) HIDTA ANNUAL EVALUATION REPORT.—As
2 part of each National Drug Control Evaluation assess-
3 ment under section 1006, the Director shall include, for
4 each designated high intensity drug trafficking area, a re-
5 port that—

6 “(1) describes—

7 “(A) the specific purposes for the high in-
8 tensity drug trafficking area; and

9 “(B) the specific long-term and short-term
10 goals and objectives for the high intensity drug
11 trafficking area;

12 “(2) includes an evaluation of the performance
13 of the high intensity drug trafficking area in accom-
14 plishing the specific long-term and short-term goals
15 and objectives identified under subparagraph (1)(B);

16 “(3) assesses the number and operation of all
17 federally funded drug enforcement task forces within
18 such high intensity drug trafficking area;

19 “(4) describes—

20 “(A) each Federal, State, local, and Tribal
21 drug enforcement task force operating in such
22 high intensity drug trafficking area;

23 “(B) how such task forces coordinate with
24 each other, with any high intensity drug traf-
25 ficking area task force, and with investigations

1 receiving funds from the Organized Crime and
2 Drug Enforcement Task Force;

3 “(C) what steps, if any, each such task
4 force takes to share information regarding drug
5 trafficking and drug production with other fed-
6 erally funded drug enforcement task forces in
7 the high intensity drug trafficking area;

8 “(D) the role of the high intensity drug
9 trafficking area in coordinating the sharing of
10 such information among task forces;

11 “(E) the nature and extent of cooperation
12 by each Federal, State, local, and Tribal partic-
13 ipant in ensuring that such information is
14 shared among law enforcement agencies and
15 with the high intensity drug trafficking area;

16 “(F) the nature and extent to which infor-
17 mation sharing and enforcement activities are
18 coordinated with joint terrorism task forces in
19 the high intensity drug trafficking area; and

20 “(G) any recommendations for measures
21 needed to ensure that task force resources are
22 utilized efficiently and effectively to reduce the
23 availability of illegal drugs in the high intensity
24 drug trafficking areas; and

1 “(5) in consultation with the Director of Na-
2 tional Intelligence—

3 “(A) evaluates existing and planned law
4 enforcement intelligence systems supported by
5 such high intensity drug trafficking area, or
6 utilized by task forces receiving any funding
7 under the Program, including the extent to
8 which such systems ensure access and avail-
9 ability of law enforcement intelligence to Fed-
10 eral, State, local, and Tribal law enforcement
11 agencies within the high intensity drug traf-
12 ficking area and outside of such area;

13 “(B) evaluates the extent to which Fed-
14 eral, State, local, and Tribal law enforcement
15 agencies participating in each high intensity
16 drug trafficking area are sharing law enforce-
17 ment intelligence information to assess current
18 drug trafficking threats and design appropriate
19 enforcement strategies; and

20 “(C) identifies the measures needed to im-
21 prove effective sharing of information and law
22 enforcement intelligence regarding drug traf-
23 ficking and drug production among Federal,
24 State, local, and Tribal law enforcement partici-
25 pating in a high intensity drug trafficking area,

1 and between such agencies and similar agencies
2 outside the high intensity drug trafficking area.

3 “(1) COORDINATION OF LAW ENFORCEMENT INTEL-
4 LIGENCE SHARING WITH ORGANIZED CRIME DRUG EN-
5 FORCEMENT TASK FORCE PROGRAM.—

6 “(1) DRUG ENFORCEMENT INTELLIGENCE
7 SHARING.—The Director, in consultation with the
8 Attorney General, shall ensure that any drug en-
9 forcement intelligence obtained by the Intelligence
10 Support Center for each high intensity drug traf-
11 ficking area is shared, on a timely basis, with the
12 drug intelligence fusion center operated by the Orga-
13 nized Crime Drug Enforcement Task Force of the
14 Department of Justice.

15 “(2) CERTIFICATION.—Before the Director
16 awards any funds to a high intensity drug traf-
17 ficking area, the Director shall certify that the law
18 enforcement entities participating in that HIDTA
19 are providing laboratory seizure data to the national
20 clandestine laboratory database at the El Paso Intel-
21 ligence Center.

22 “(m) AUTHORIZATION OF APPROPRIATIONS.—There
23 is authorized to be appropriated to the Office to carry out
24 this section \$280,000,000 for each fiscal years 2019
25 through 2023.

1 “(n) SPECIFIC PURPOSES.—

2 “(1) IN GENERAL.—The Director shall ensure
3 that, of the amounts appropriated for a fiscal year
4 for the Program, at least 2.5 percent is used in high
5 intensity drug trafficking areas with severe neigh-
6 borhood safety and illegal drug distribution prob-
7 lems.

8 “(2) REQUIRED USES.—The funds used under
9 paragraph (1) shall be used to ensure the safety of
10 neighborhoods and the protection of communities,
11 including the prevention of the intimidation of wit-
12 nesses of illegal drug distribution and related activi-
13 ties and the establishment of or support for pro-
14 grams that provide protection or assistance to wit-
15 nesses in court proceedings.

16 “(3) BEST PRACTICE MODELS.—The Director
17 shall work with the HIDTAs to develop and main-
18 tain best practice models to assist State, local, and
19 Tribal governments in addressing witness safety, re-
20 location, financial and housing assistance, or any
21 other services related to witness protection or assist-
22 ance in cases of illegal drug distribution and related
23 activities. The Director shall ensure dissemination of
24 the best practice models to each HIDTA.

1 “SUBCHAPTER III—DRUG-FREE COMMUNITIES
2 SUPPORT PROGRAM

3 “§ 1031. **Establishment of drug-free communities sup-**
4 **port program**

5 “(a) ESTABLISHMENT.—The Director shall establish
6 a program to support communities in the development and
7 implementation of comprehensive, long-term plans and
8 programs to prevent and treat substance use and misuse
9 among youth.

10 “(b) PROGRAM.—In carrying out the Program, the
11 Director shall—

12 “(1) make and track grants to grant recipients;

13 “(2) provide for technical assistance and train-
14 ing, data collection, and dissemination of informa-
15 tion on state-of-the-art practices that the Director
16 determines to be effective in reducing substance use;
17 and

18 “(3) provide for the general administration of
19 the Program.

20 “(c) ADMINISTRATION.—The Director shall appoint
21 an Administrator to carry out the Program.

22 “(d) CONTRACTING.—The Director may employ any
23 necessary staff and may enter into contracts or agree-
24 ments with national drug control agencies, including inter-
25 agency agreements, to delegate authority for the execution

1 of grants and for such other activities necessary to carry
2 out this chapter.

3 **“§ 1032. Program authorization**

4 “(a) GRANT ELIGIBILITY.—To be eligible to receive
5 an initial grant or a renewal grant under this subchapter,
6 a coalition shall meet each of the following criteria:

7 “(1) APPLICATION.—The coalition shall submit
8 an application to the Administrator in accordance
9 with section 1033(a)(2).

10 “(2) MAJOR SECTOR INVOLVEMENT.—

11 “(A) IN GENERAL.—The coalition shall
12 consist of one or more representatives of each
13 of the following categories:

14 “(i) Youth.

15 “(ii) Parents.

16 “(iii) Businesses.

17 “(iv) The media.

18 “(v) Schools.

19 “(vi) Organizations serving youth.

20 “(vii) Law enforcement.

21 “(viii) Religious or fraternal organiza-
22 tions.

23 “(ix) Civic and volunteer groups.

24 “(x) Health care professionals.

1 “(xi) State, local, or tribal govern-
2 mental agencies with expertise in the field
3 of substance use prevention or substance
4 use disorders (including, if applicable, the
5 State authority with primary authority for
6 substance use and misuse).

7 “(xii) Other organizations involved in
8 reducing the prevalence of substance use
9 and misuse or substance use disorders.

10 “(B) ELECTED OFFICIALS.—If feasible, in
11 addition to representatives from the categories
12 listed in subparagraph (A), the coalition shall
13 have an elected official (or a representative of
14 an elected official) from—

15 “(i) the Federal Government; and

16 “(ii) the government of the appro-
17 priate State and political subdivision there-
18 of or the governing body or an Indian tribe
19 (as that term is defined in section 4(e) of
20 the Indian Self-Determination Act (25
21 U.S.C. 450b(e))).

22 “(C) REPRESENTATION.—An individual
23 who is a member of the coalition may serve on
24 the coalition as a representative of not more
25 than 1 category listed under subparagraph (A).

1 “(3) COMMITMENT.—The coalition shall dem-
2 onstrate, to the satisfaction of the Administrator—

3 “(A) that the representatives of the coali-
4 tion have worked together on substance use and
5 misuse reduction initiatives, which, at a min-
6 imum, includes initiatives that target drugs de-
7 scribed in section 1037(6)(A), for a period of
8 not less than 6 months, acting through entities
9 such as task forces, subcommittees, or commu-
10 nity boards; and

11 “(B) substantial participation from volun-
12 teer leaders in the community involved (espe-
13 cially in cooperation with individuals involved
14 with youth such as parents, teachers, coaches,
15 youth workers, and members of the clergy).

16 “(4) MISSION AND STRATEGIES.—The coalition
17 shall, with respect to the community involved—

18 “(A) have as its principal mission the re-
19 duction of illegal drug use, which, at a min-
20 imum, includes the use of illegal drugs de-
21 scribed in section 1037(6)(A), in a comprehen-
22 sive and long-term manner, with a primary
23 focus on youth in the community;

24 “(B) describe and document the nature
25 and extent of the substance use and misuse

1 problem, which, at a minimum, includes the use
2 and misuse of drugs described in section
3 1037(6)(A), in the community;

4 “(C)(i) provide a description of substance
5 use and misuse prevention and treatment pro-
6 grams and activities, which, at a minimum, in-
7 cludes programs and activities relating to the
8 use and misuse of drugs described in section
9 1037(6)(A), in existence at the time of the
10 grant application; and

11 “(ii) identify substance use and misuse
12 programs and service gaps, which, at a min-
13 imum, includes programs and gaps relating to
14 the use and misuse of drugs described in sec-
15 tion 1037(6)(A), in the community;

16 “(D) develop a strategic plan to reduce
17 substance use and misuse among youth, which,
18 at a minimum, includes the use and misuse of
19 drugs described in section 1037(6)(A), in a
20 comprehensive and long-term fashion; and

21 “(E) work to develop a consensus regard-
22 ing the priorities of the community to combat
23 substance use and misuse among youth, which,
24 at a minimum, includes the use and misuse of
25 drugs described in section 1037(6)(A).

1 “(5) SUSTAINABILITY.—The coalition shall
2 demonstrate that the coalition is an ongoing concern
3 by demonstrating that the coalition—

4 “(A) is—

5 “(i)(I) a nonprofit organization; or

6 “(II) an entity that the Administrator
7 determines to be appropriate; or

8 “(ii) part of, or is associated with, an
9 established legal entity;

10 “(B) receives financial support (including,
11 in the discretion of the Administrator, in-kind
12 contributions) from non-Federal sources; and

13 “(C) has a strategy to solicit substantial fi-
14 nancial support from non-Federal sources to en-
15 sure that the coalition and the programs oper-
16 ated by the coalition are self-sustaining.

17 “(6) ACCOUNTABILITY.—The coalition shall—

18 “(A) establish a system to measure and re-
19 port outcomes—

20 “(i) consistent with common indica-
21 tors and evaluation protocols established
22 by the Administrator; and

23 “(ii) approved by the Administrator;

24 “(B) conduct—

1 “(i) for an initial grant under this
2 subchapter, an initial benchmark survey of
3 drug use among youth (or use local sur-
4 veys or performance measures available or
5 accessible in the community at the time of
6 the grant application); and

7 “(ii) biennial surveys (or incorporate
8 local surveys in existence at the time of the
9 evaluation) to measure the progress and
10 effectiveness of the coalition; and

11 “(C) provide assurances that the entity
12 conducting an evaluation under this paragraph,
13 or from which the coalition receives informa-
14 tion, has experience—

15 “(i) in gathering data related to sub-
16 stance use and misuse among youth; or

17 “(ii) in evaluating the effectiveness of
18 community anti-drug coalitions.

19 “(7) ADDITIONAL CRITERIA.—The Director
20 shall not impose any eligibility criteria on new appli-
21 cants or renewal grantees not provided in this chap-
22 ter.

23 “(b) GRANT AMOUNTS.—

24 “(1) IN GENERAL.—

25 “(A) GRANTS.—

1 “(i) IN GENERAL.—Subject to clause
2 (iv), for a fiscal year, the Administrator
3 may grant to an eligible coalition under
4 this paragraph, an amount not to exceed
5 the amount of non-Federal funds raised by
6 the coalition, including in-kind contribu-
7 tions, for that fiscal year.

8 “(ii) SUSPENSION OF GRANTS.—If
9 such grant recipient fails to continue to
10 meet the criteria specified in subsection
11 (a), the Administrator may suspend the
12 grant, after providing written notice to the
13 grant recipient and an opportunity to ap-
14 peal.

15 “(iii) RENEWAL GRANTS.—Subject to
16 clause (iv), the Administrator may award a
17 renewal grant to a grant recipient under
18 this subparagraph for each fiscal year fol-
19 lowing the fiscal year for which an initial
20 grant is awarded, in an amount not to ex-
21 ceed the amount of non-Federal funds
22 raised by the coalition, including in-kind
23 contributions, for that fiscal year, during
24 the 4-year period following the period of
25 the initial grant.

1 “(iv) LIMITATION.—The amount of a
2 grant award under this subparagraph may
3 not exceed \$125,000 for a fiscal year.

4 “(B) COALITION AWARDS.—

5 “(i) IN GENERAL.—Except as pro-
6 vided in clause (ii), the Administrator may,
7 with respect to a community, make a grant
8 to 1 eligible coalition that represents that
9 community.

10 “(ii) EXCEPTION.—The Administrator
11 may make a grant to more than 1 eligible
12 coalition that represents a community if—

13 “(I) the eligible coalitions dem-
14 onstrate that the coalitions are col-
15 laborating with one another; and

16 “(II) each of the coalitions has
17 independently met the requirements
18 set forth in subsection (a).

19 “(2) RURAL COALITION GRANTS.—

20 “(A) IN GENERAL.—

21 “(i) IN GENERAL.—In addition to
22 awarding grants under paragraph (1), to
23 stimulate the development of coalitions in
24 sparsely populated and rural areas, the
25 Administrator may award a grant in ac-

1 cordance with this section to a coalition
2 that represents a county with a population
3 that does not exceed 30,000 individuals. In
4 awarding a grant under this paragraph,
5 the Administrator may waive any require-
6 ment under subsection (a) if the Adminis-
7 trator considers that waiver to be appro-
8 priate.

9 “(ii) MATCHING REQUIREMENT.—
10 Subject to subparagraph (C), for a fiscal
11 year, the Administrator may grant to an
12 eligible coalition under this paragraph, an
13 amount not to exceed the amount of non-
14 Federal funds raised by the coalition, in-
15 cluding in-kind contributions, for that fis-
16 cal year.

17 “(iii) SUSPENSION OF GRANTS.—If
18 such grant recipient fails to continue to
19 meet any criteria specified in subsection
20 (a) that has not been waived by the Ad-
21 ministrator pursuant to clause (i), the Ad-
22 ministrator may suspend the grant, after
23 providing written notice to the grant re-
24 cipient and an opportunity to appeal.

1 “(B) RENEWAL GRANTS.—The Adminis-
2 trator may award a renewal grant to an eligible
3 coalition that is a grant recipient under this
4 paragraph for each fiscal year following the fis-
5 cal year for which an initial grant is awarded,
6 in an amount not to exceed the amount of non-
7 Federal funds raised by the coalition, including
8 in-kind contributions, during the 4-year period
9 following the period of the initial grant.

10 “(C) LIMITATIONS.—

11 “(i) AMOUNT.—The amount of a
12 grant award under this paragraph shall
13 not exceed \$125,000 for a fiscal year.

14 “(ii) AWARDS.—With respect to a
15 county referred to in subparagraph (A),
16 the Administrator may award a grant
17 under this section to not more than 1 eligi-
18 ble coalition that represents the county.

19 “(3) ADDITIONAL GRANTS.—

20 “(A) IN GENERAL.—Subject to subpara-
21 graph (F), the Administrator may award an ad-
22 ditional grant under this paragraph to an eligi-
23 ble coalition awarded a grant under paragraph
24 (1) or (2) for any first fiscal year after the end
25 of the 4-year period following the period of the

1 initial grant under paragraph (1) or (2), as the
2 case may be.

3 “(B) SCOPE OF GRANTS.—A coalition
4 awarded a grant under paragraph (1) or (2),
5 including a renewal grant under such para-
6 graph, may not be awarded another grant
7 under such paragraph, and is eligible for an ad-
8 ditional grant under this section only under this
9 paragraph.

10 “(C) NO PRIORITY FOR APPLICATIONS.—
11 The Administrator may not afford a higher pri-
12 ority in the award of an additional grant under
13 this paragraph than the Administrator would
14 afford the applicant for the grant if the appli-
15 cant were submitting an application for an ini-
16 tial grant under paragraph (1) or (2) rather
17 than an application for a grant under this para-
18 graph.

19 “(D) RENEWAL GRANTS.—Subject to sub-
20 paragraph (F), the Administrator may award a
21 renewal grant to a grant recipient under this
22 paragraph for each of the fiscal years of the 4-
23 fiscal-year period following the fiscal year for
24 which the initial additional grant under sub-

1 paragraph (A) is awarded in an amount not to
2 exceed amounts as follows:

3 “(i) For the first and second fiscal
4 years of that 4-fiscal-year period, the
5 amount equal to 80 percent of the non-
6 Federal funds, including in-kind contribu-
7 tions, raised by the coalition for the appli-
8 cable fiscal year.

9 “(ii) For the third and fourth fiscal
10 years of that 4-fiscal-year period, the
11 amount equal to 67 percent of the non-
12 Federal funds, including in-kind contribu-
13 tions, raised by the coalition for the appli-
14 cable fiscal year.

15 “(E) SUSPENSION.—If a grant recipient
16 under this paragraph fails to continue to meet
17 the criteria specified in subsection (a), the Ad-
18 ministrator may suspend the grant, after pro-
19 viding written notice to the grant recipient and
20 an opportunity to appeal.

21 “(F) LIMITATION.—The amount of a grant
22 award under this paragraph may not exceed
23 \$125,000 for a fiscal year.

24 “(4) PROCESS FOR SUSPENSION.—A grantee
25 shall not be suspended or terminated under para-

1 graph (1)(A)(ii), (2)(A)(iii), or (3)(C) unless that
2 grantee is afforded a fair, timely, and independent
3 appeal prior to such suspension or termination.

4 “(c) TREATMENT OF FUNDS FOR COALITIONS REP-
5 RESENTING CERTAIN ORGANIZATIONS.—Funds appro-
6 priated for the substance use and misuse activities of a
7 coalition that includes a representative of the Bureau of
8 Indian Affairs, the Indian Health Service, or a tribal gov-
9 ernment agency with expertise in the field of substance
10 use prevention may be counted as non-Federal funds
11 raised by the coalition for purposes of this section.

12 “(d) PRIORITY IN AWARDING GRANTS.—In awarding
13 grants under subsection (b)(1)(A)(i), priority shall be
14 given to a coalition serving economically disadvantaged
15 areas.

16 **“§ 1033. Information collection and dissemination**
17 **with respect to grant recipients**

18 “(a) COALITION INFORMATION.—

19 “(1) GENERAL AUDITING AUTHORITY.—For the
20 purpose of audit and examination, the Adminis-
21 trator—

22 “(A) shall have access to any books, docu-
23 ments, papers, and records that are pertinent to
24 any grant or grant renewal request under this
25 chapter; and

1 “(B) may periodically request information
2 from a grant recipient to ensure that the grant
3 recipient meets the applicable criteria under
4 section 1032(a).

5 “(2) APPLICATION PROCESS.—The Adminis-
6 trator shall issue a request for proposal regarding,
7 with respect to the grants awarded under section
8 1032, the application process, grant renewal, and
9 suspension or withholding of renewal grants. Each
10 application under this paragraph shall be in writing
11 and shall be subject to review by the Administrator.

12 “(3) REPORTING.—The Administrator shall, to
13 the maximum extent practicable and in a manner
14 consistent with applicable law, minimize reporting
15 requirements by a grant recipient and expedite any
16 application for a renewal grant made under this sub-
17 chapter.

18 “(b) DATA COLLECTION AND DISSEMINATION.—

19 “(1) IN GENERAL.—The Administrator may
20 collect data from—

21 “(A) national substance use and misuse or-
22 ganizations that work with eligible coalitions,
23 community anti-drug coalitions, departments or
24 agencies of the Federal Government, or State

1 or local governments and the governing bodies
2 of Indian tribes; and

3 “(B) any other entity or organization that
4 carries out activities that relate to the purposes
5 of the Program.

6 “(2) ACTIVITIES OF ADMINISTRATOR.—The Ad-
7 ministrator may—

8 “(A) evaluate the utility of specific initia-
9 tives relating to the purposes of the Program;

10 “(B) conduct an evaluation of the Pro-
11 gram; and

12 “(C) disseminate information described in
13 this subsection to—

14 “(i) eligible coalitions and other sub-
15 stance use prevention organizations; and

16 “(ii) the general public.

17 “(3) CONSULTATION.—The Administrator shall
18 carry out activities under this subsection in consulta-
19 tion with the National Community Antidrug Coali-
20 tion Institute.

21 “(4) LIMITATION ON USE OF CERTAIN FUNDS
22 FOR EVALUATION OF PROGRAM.—Amounts for ac-
23 tivities under paragraph (2)(B) may not be derived
24 from amounts under section 1038(a) except for

1 amounts that are available under section 1038(b) for
2 administrative costs.

3 **“§ 1034. Technical assistance and training**

4 “(a) IN GENERAL.—

5 “(1) TECHNICAL ASSISTANCE AND AGREE-
6 MENTS.—With respect to any grant recipient or
7 other organization, the Administrator may—

8 “(A) offer technical assistance and train-
9 ing; and

10 “(B) enter into contracts and cooperative
11 agreements.

12 “(2) COORDINATION OF PROGRAMS.—The Ad-
13 ministrator may facilitate the coordination of pro-
14 grams between a grant recipient and other organiza-
15 tions and entities.

16 “(b) TRAINING.—The Administrator may provide
17 training to any representative designated by a grant re-
18 cipient in—

19 “(1) coalition building;

20 “(2) task force development;

21 “(3) mediation and facilitation, direct service,
22 assessment and evaluation; or

23 “(4) any other activity related to the purposes
24 of the Program.

1 **“§ 1035. Supplemental grants for coalition mentoring**
2 **activities**

3 “(a) AUTHORITY TO MAKE GRANTS.—As part of the
4 program established under section 1031, the Director may
5 award an initial grant under this subsection, and renewal
6 grants under subsection (f), to any coalition awarded a
7 grant under section 1032 that meets the criteria specified
8 in subsection (d) in order to fund coalition mentoring ac-
9 tivities by such coalition in support of the program.

10 “(b) TREATMENT WITH OTHER GRANTS.—

11 “(1) SUPPLEMENT.—A grant awarded to a coa-
12 lition under this section is in addition to any grant
13 awarded to the coalition under section 1032.

14 “(2) REQUIREMENT FOR BASIC GRANT.—A coa-
15 lition may not be awarded a grant under this section
16 for a fiscal year unless the coalition was awarded a
17 grant or renewal grant under section 1032(b) for
18 that fiscal year.

19 “(c) APPLICATION.—A coalition seeking a grant
20 under this section shall submit to the Administrator an
21 application for the grant in such form and manner as the
22 Administrator may require.

23 “(d) CRITERIA.—A coalition meets the criteria speci-
24 fied in this subsection if the coalition—

25 “(1) has been in existence for at least 5 years;

1 “(2) has achieved, by or through its own ef-
2 forts, measurable results in the prevention and treat-
3 ment of substance use and misuse among youth;

4 “(3) has staff or members willing to serve as
5 mentors for persons seeking to start or expand the
6 activities of other coalitions in the prevention and
7 treatment of substance use and misuse;

8 “(4) has demonstrable support from some mem-
9 bers of the community in which the coalition men-
10 toring activities to be supported by the grant under
11 this section are to be carried out; and

12 “(5) submits to the Administrator a detailed
13 plan for the coalition mentoring activities to be sup-
14 ported by the grant under this section.

15 “(e) USE OF GRANT FUNDS.—A coalition awarded
16 a grant under this section shall use the grant amount for
17 mentoring activities to support and encourage the develop-
18 ment of new, self-supporting community coalitions that
19 are focused on the prevention and treatment of substance
20 use and misuse in such new coalitions’ communities. The
21 mentoring coalition shall encourage such development in
22 accordance with the plan submitted by the mentoring coa-
23 lition under subsection (d)(5).

24 “(f) RENEWAL GRANTS.—The Administrator may
25 make a renewal grant to any coalition awarded a grant

1 under subsection (a), or a previous renewal grant under
2 this subsection, if the coalition, at the time of application
3 for such renewal grant—

4 “(1) continues to meet the criteria specified in
5 subsection (d); and

6 “(2) has made demonstrable progress in the de-
7 velopment of one or more new, self-supporting com-
8 munity coalitions that are focused on the prevention
9 and treatment of substance use and misuse.

10 “(g) GRANT AMOUNTS.—

11 “(1) IN GENERAL.—Subject to paragraphs (2)
12 and (3), the total amount of grants awarded to a co-
13 alition under this section for a fiscal year may not
14 exceed the amount of non-Federal funds raised by
15 the coalition, including in-kind contributions, for
16 that fiscal year. Funds appropriated for the sub-
17 stance use and misuse activities of a coalition that
18 includes a representative of the Bureau of Indian
19 Affairs, the Indian Health Service, or a tribal gov-
20 ernment agency with expertise in the field of sub-
21 stance use prevention may be counted as non-Fed-
22 eral funds raised by the coalition.

23 “(2) INITIAL GRANTS.—The amount of the ini-
24 tial grant awarded to a coalition under subsection
25 (a) may not exceed \$75,000.

1 broad, national-level experience in community antidrug
2 coalitions under this subchapter.

3 “(c) USE OF GRANT AMOUNT.—The organization
4 that receives the grant under subsection (a) shall continue
5 a National Community Anti-Drug Coalition Institute to—

6 “(1) provide education, training, and technical
7 assistance for coalition leaders and community
8 teams, with emphasis on the development of coalitions
9 serving economically disadvantaged areas;

10 “(2) develop and disseminate evaluation tools,
11 mechanisms, and measures to better assess and document
12 coalition performance measures and outcomes; and
13

14 “(3) bridge the gap between research and practice
15 by translating knowledge from research into
16 practical information.

17 “(d) AUTHORIZATION OF APPROPRIATIONS.—The
18 Director shall, using amounts authorized to be appropriated
19 by section 1038, make a grant of \$2,000,000
20 under subsection (a), for each of the fiscal years 2019
21 through 2023.

22 **“§ 1037. Definitions**

23 “In this subchapter:

1 “(1) ADMINISTRATOR.—The term ‘Adminis-
2 trator’ means the Administrator appointed by the
3 Director under section 1031(c).

4 “(2) COMMUNITY.—The term ‘community’ shall
5 have the meaning provided that term by the Admin-
6 istrator.

7 “(3) ELIGIBLE COALITION.—The term ‘eligible
8 coalition’ means a coalition that meets the applicable
9 criteria under section 1032(a).

10 “(4) GRANT RECIPIENT.—The term ‘grant re-
11 cipient’ means the recipient of a grant award under
12 section 1032.

13 “(5) PROGRAM.—The term ‘Program’ means
14 the program established under section 1031(a).

15 “(6) SUBSTANCE USE AND MISUSE.—The term
16 ‘substance use and misuse’ means—

17 “(A) the illegal use or misuse of drugs, in-
18 cluding substances for which a listing is in ef-
19 fect under any of schedules I through V under
20 section 202 of the Controlled Substances Act
21 (21 U.S.C. 812);

22 “(B) the misuse of inhalants or over the
23 counter drugs; or

1 “(C) the use of alcohol, tobacco, or other
2 related product as such use is prohibited by
3 State or local law.

4 “(7) YOUTH.—The term ‘youth’ shall have the
5 meaning provided that term by the Administrator.

6 **“§ 1038. Drug-free communities reauthorization**

7 “(a) AUTHORIZATION OF APPROPRIATIONS.—There
8 are authorized to be appropriated to the Office to carry
9 out this subchapter \$99,000,000 for fiscal year 2019
10 through 2023.

11 “(b) ADMINISTRATIVE COSTS.—Not more than 8
12 percent of the funds appropriated for this subchapter may
13 be used by the Office or, in the discretion of the Director,
14 an agency delegated to carry out the program under sec-
15 tion 1031(d) to pay for administrative costs associated
16 with carrying out the program.”.

17 **SEC. 3. REPEALS.**

18 The following provisions are repealed:

19 (1) Section 203 of the Office of National Drug
20 Control Policy Reauthorization Act of 2006 (Public
21 Law 109–469; 21 U.S.C. 1708a).

22 (2) Title VIII of the Office of National Drug
23 Control Policy Reauthorization Act of 2006 (Public
24 Law 109–469).

1 (3) Section 1105 of the Office of National Drug
2 Control Policy Reauthorization Act of 2006 (Public
3 Law 109–469; 21 U.S.C. 1701 note).

4 (4) Section 1110 of Office of National Drug
5 Control Policy Reauthorization Act of 2006 (Public
6 Law 109–469; 21 U.S.C. 1705 note).

7 (5) Section 1110A of the Office of National
8 Drug Control Policy Reauthorization Act of 2006
9 (Public Law 109–469; 21 U.S.C. 1705 note).

10 (6) Section 4 of Public Law 107–82 (21 U.S.C.
11 1521 note).

12 **SEC. 4. OPIOID CRISIS RESPONSE.**

13 (a) EMERGING THREAT DESIGNATION.—The Direc-
14 tor shall designate opioids and opioid analogues as emerg-
15 ing threats, in accordance with section 1009 of title 31,
16 United States Code, as added by section 2(b).

17 (b) OPIOID RESPONSE PLAN.—

18 (1) ISSUANCE.—Not later than 60 days after
19 the date of the enactment of this Act, the Director
20 shall publish, make publicly available, and notify the
21 President and the appropriate congressional commit-
22 tees of, the plan required under section 1009 of title
23 31, United States Code, as added by section 2(b), to
24 be designated as the “National Opioid Crisis Re-
25 sponse Plan”.

1 (2) CONTENTS.—The Director shall ensure the
2 plan establishes measurable goals, including reduc-
3 ing fatal and non-fatal overdoses, and includes the
4 following:

5 (A) Initiatives to ensure the United States
6 mail is effectively screened to prevent illicit
7 drugs from entering the United States, includ-
8 ing—

9 (i) designating the United States
10 Postal Service as a National Drug Control
11 Program Agency;

12 (ii) directing the United States Postal
13 Service and any other related National
14 Drug Control Program Agency to take any
15 appropriate actions necessary to reduce the
16 amount of illicit drugs entering the coun-
17 try; and

18 (iii) developing an international co-
19 ordination plan, in accordance with section
20 1010 of such title 31, United States Code,
21 as added by section 2(b)), to include ef-
22 forts to address international drug control
23 initiatives and strengthen bilateral and
24 multilateral strategies to reduce illicit
25 drugs and precursor chemicals from enter-

1 ing the United States through inter-
2 national mail or across land borders or
3 ports of entry.

4 (B) Support for universal adoption of evi-
5 dence-based prescribing guidelines, including—

6 (i) establishing a task force to supple-
7 ment existing prescribing guidelines with
8 evidence-based standards and to facilitate,
9 coordinate, and, as appropriate, conduct
10 research to inform such guidelines;

11 (ii) encouraging the adoption of evi-
12 dence-based prescribing guidelines by each
13 relevant agency, State and local govern-
14 ments, and private sector organizations;

15 (iii) issuing guidance to National
16 Drug Control Program Agencies to, as ap-
17 propriate, revise regulations to ensure pro-
18 fessionals have effective continuing edu-
19 cation requirements; and

20 (iv) disseminating and encouraging
21 the adoption of best practices and evi-
22 dence-based guidelines for effective pre-
23 scribing practices.

24 (C) A program to monitor the prescription
25 drug market and illicit drug market for changes

1 in trends relevant to reducing the supply or de-
2 mand of such drugs.

3 (D) An initiative to facilitate and coordi-
4 nate Federal, State and local government initia-
5 tives, studies, and pilot or demonstration pro-
6 grams designed to evaluate the benefits of drug
7 courts and related programs that reduce sub-
8 stance use prevalence.

9 (E) Programs, developed in coordination
10 with the private sector, to—

11 (i) facilitate the development of treat-
12 ment and deterrent products, in accord-
13 ance with section 1010(c) of title 31,
14 United States Code, as added by section
15 2(b); and

16 (ii) encourage the expansion of medi-
17 cation disposal programs and technology.

18 (F) Initiatives to encourage the National
19 Drug Control Program Agencies and the pro-
20 gram established under section 1010(d) of title
21 31, United States Code, as added by section
22 2(b)—

23 (i) to prioritize the development of
24 sentencing standards or model codes for

1 trafficking opioids and opioid analogues;
2 and

3 (ii) to advise States on establishing
4 laws and policies to address opioid issues
5 based on the recommendations developed
6 and set forth by the President’s Commis-
7 sion on Combating Drug Addiction and the
8 Opioid Crisis.

9 (G) Working groups, established in accord-
10 ance with section 1010 of title 31, United
11 States Code, as added by section 2(b), to de-
12 velop standards, and encourage the use of such
13 standards, for the collection of data necessary
14 to understand and monitor the opioid crisis, in-
15 cluding—

16 (i) State medical examiner reports on
17 deaths caused by overdoses and related
18 statistical data; and

19 (ii) first responder opioid intoxication
20 incidents.

21 (H) A program to identify successful col-
22 lege recovery programs, including sober housing
23 programs that provide a shared living residence
24 free of alcohol or illicit drug use for individuals
25 recovering from drug or alcohol addiction and

1 substance use disorders, on college campuses
2 and disseminate best practices to Colleges and
3 Universities to increase the number and capac-
4 ity of such programs.

5 (I) Convening working groups, consisting
6 of the appropriate National Drug Control Pro-
7 gram Agencies, State, local and Tribal govern-
8 ments, and other appropriate stakeholders, es-
9 tablished in accordance with section 1010 of
10 title 31, United States Code—

11 (i) to support Prescription Drug Mon-
12 itoring Programs by—

13 (I) facilitating the sharing of pro-
14 gram data among States and Federal
15 prescription drug monitoring pro-
16 grams to ensure interoperability of
17 such programs;

18 (II) assisting States in increasing
19 utilization of such programs;

20 (III) facilitating efforts to incor-
21 porate available overdose and
22 naloxone deployment data into such
23 programs;

1 (IV) evaluating barriers to inte-
2 grating program data with electronic
3 health records; and

4 (V) offering recommendations to
5 address identified barriers; and

6 (ii) to develop standards, and encour-
7 age the use of such standards, for the col-
8 lection of data necessary to understand
9 and monitor the opioid crisis, including—

10 (I) State medical examiner re-
11 ports on deaths caused by overdoses
12 and related statistical data; and

13 (II) first responder opioid intoxi-
14 cation incidents.

15 (J) Research initiatives, to be initiated not
16 later than 30 days after the issuance of the
17 plan, to evaluate the uses and barriers to use
18 of and the effects of improving the following
19 programs:

20 (i) Medication Assisted Treatment.

21 (ii) Data collection systems used to
22 confirm opioid use by individuals who have
23 been arrested or hospitalized.

24 (c) RECOMMENDATIONS.—Not later than 1 year after
25 the date of the enactment of this Act, the Director shall

1 submit to Congress a report on the results of the initia-
2 tives conducted under subsection (b)(2)(K) and rec-
3 ommendations based on such results.

4 **SEC. 5. EXCEPTIONS AND RULES OF CONSTRUCTION.**

5 (a) RULES OF CONSTRUCTION.—Nothing in this Act,
6 or the amendments made by this act shall be construed
7 as derogating the authorities and responsibilities of the
8 Director of National Intelligence or the Director of the
9 Central Intelligence Agency contained in the National Se-
10 curity Act of 1947 (50 U.S.C. 401 et seq.), the Central
11 Intelligence Agency Act of 1949 (50 U.S.C. 403a et seq.),
12 or any other law.

13 (b) INAPPLICABILITY TO CERTAIN PROGRAMS.—This
14 Act, and the amendments made by this Act, shall not
15 apply to the National Intelligence Program and the Mili-
16 tary Intelligence Program, unless such program or an ele-
17 ment of such program is designated as a National Drug
18 Control Program—

19 (1) by the President; or

20 (2) jointly by—

21 (A) in the case of the National Intelligence
22 Program, the Director and the Director of Na-
23 tional Intelligence; or

1 (B) in the case of the Military Intelligence
2 Program, the Director, the Director of National
3 Intelligence, and the Secretary of Defense.

4 (c) CLASSIFIED INFORMATION.—Any contents of any
5 report required under this Act or the amendments made
6 by this Act that involve information properly classified
7 under criteria established by an Executive order shall be
8 presented to Congress separately from the rest of such re-
9 port.

10 **SEC. 6. GAO STUDY AND REPORTS.**

11 (a) REPORTS.—

12 (1) INITIAL.—Not later than 3 years after the
13 date of the enactment of this Act, the Comptroller
14 General shall provide an initial report to the appro-
15 priate Congressional Committees.

16 (2) FINAL.—Not later than 6 years after the
17 date of the enactment of this Act, the Comptroller
18 General shall provide a final report to the appro-
19 priate Congressional Committees.

20 (b) CONTENTS OF REPORT.—The reports described
21 in subsection (a) shall include the following:

22 (1) A review of the implementation of the edu-
23 cation and outreach campaign for emerging threats,
24 including—

1 (A) whether the objectives of the campaign
2 and the media campaign have been met during
3 the relevant period; and

4 (B) whether the Office took steps to en-
5 sure that the campaign operated in an efficient
6 and effective manner consistent with the overall
7 strategy and focus of the campaign.

8 (2) A review of the adherence to policies and
9 practices implemented to ensure that Federal funds
10 were used responsibly to purchase advertising time
11 and space and eliminate the potential for waste,
12 fraud and abuse.

13 (3) An evaluation of the most recent, applicable
14 National Drug Control Strategy, including whether
15 the National Drug Control Strategy met the require-
16 ments of section 1005 of title 31, United States
17 Code, as added by section 2(b).

18 (4) An evaluation of whether the required an-
19 nual assessments prepared by the Office met the re-
20 quirements of section 1006 of title 31, United States
21 Code, as added by section 2(b).

22 (5) Such other matters as the Comptroller Gen-
23 eral determines to be appropriate.

1 **SEC. 7. DEFINITIONS.**

2 In this Act, the terms “appropriate congressional
3 committees”, “Director”, “drug”, “illicit drug use”, “il-
4 licit drugs”, and “National Drug Control Program Agen-
5 cies” have the meaning given those terms in section 1001
6 of title 31, United States Code.

○